

## THE JUNE MEETING OF THE NOACA BOARD OF DIRECTORS

**WILL BE HELD ON:  
FRIDAY  
JUNE 14, 2019  
AT  
9:00 A.M.**

**NOACA Offices  
1299 Superior Avenue  
Cleveland, OH 44114**

***Please RSVP by calling (216) 241-2414, Ext. 205  
or via email: [astacy@mpo.noaca.org](mailto:astacy@mpo.noaca.org)***

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For your advance information, the  
next meeting of the NOACA Board  
will be held on:

***September 13, 2019 – 9:00 a.m.***  
**NOACA Offices**  
**1299 Superior Avenue**  
**Cleveland, OH**

Please check [www.noaca.org](http://www.noaca.org) for the agency's Vision Statement and other information.





## NORTHEAST OHIO AREAWIDE COORDINATING AGENCY

Friday, June 14, 2019 9:00 a.m. – 1:00 p.m.

NOACA Offices

1299 Superior Avenue, Cleveland, Ohio 44114

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Next Regular Meeting: ***Friday, September 13, 2019 at 9:00 a.m.***  
***NOACA Offices, 1299 Superior Avenue in Cleveland, Ohio***



Agenda Item  
No. 1

**BOARD OF DIRECTORS MINUTES**





**Board of Directors Meeting**  
March 8, 2019  
NOACA Offices  
1299 Superior Avenue, Cleveland, Ohio 44114

**Present:** Please see the attached attendance record.

President Valarie McCall convened the Board meeting at 9:00 a.m.

**Meeting Minutes**

A motion was made by Mayor John Hunter and seconded by Mayor Michael Dylan Brennan to approve the Board minutes of January 11, 2019. The motion passed by voice vote.

**Committee Updates**

The Board received summaries of the standing committee meetings.

**Comments on the Legislative Meet & Greet**

Commissioner Matt Lundy mentioned that NOACA hosted a Legislative Meet & Greet for Ohio State Representatives and Senators prior to the Board meeting. Commissioner Lundy talked about the transportation budget bill that was approved recently by the Ohio House. He said he hopes the state legislators see the gas tax increase through the lens of infrastructure investment and public transit through the lens of jobs. He said the NOACA region stands ready to work with the state legislators.

**Comments from State Representatives and Senators**

State Senator Sandra Williams, Ohio State Senate District 21, said she and her colleagues are trying to get 18 cents or more or at least maintain the 10.7 cents for the gas tax increase.

State Representative Stephanie Howse, Ohio House District 11, talked about efforts made to get the NOACA region its fair share of transportation funding.

State Representative Bride Rose Sweeney, Ohio House District 14, thanked Board members who testified in Columbus in support of transportation funding for the region. She mentioned that the House approved \$100 million for public transportation.

State Representative Terrence Upchurch, Ohio House District 10, said he looked forward to working with Ohioans and collaborating with NOACA and its Board.

State Representative Kent Smith, Ohio House District 8, stated that Ohioans are served by 61 transit systems that provide a total of 115 million rides per year. He noted that Ohio ranks 7<sup>th</sup> in population, 14<sup>th</sup> in ridership, and 38<sup>th</sup> in state support. He said the state legislature is looking to put people to work and get people to work. He talked about public transportation, shared governance model, and amendments introduced by the State Senate and House.

State Representative Steve Hambley, Ohio House District 69, talked about legislators working together to reach a compromise; the importance of funding being spent wisely and distributed efficiently and effectively; taking care of local communities; encouraging economic development; creating shared partnerships at the state and local level; incrementally increasing the gas tax; maintaining the existing infrastructure; and the importance of public transit. He encouraged the NOACA Board to contact the State Senate about the transportation bill.

State Representative Darrell Kick, Ohio House District 70 said he was not in support of the gas tax increase because of the content in the legislation, but was working through it. He said he looked forward to the Senate's proposal and working with the urban and rural areas.

President McCall talked about the NOACA Board working together to meet the needs of the region; NOACA working to improve the transportation infrastructure for the Amish Community in Geauga County; NOACA sharing information with others; and the bipartisanship of the Northeast Ohio delegation.

Ms. Gallucci talked about the bipartisanship of the NOACA Board and the \$9.6 million BUILD grant NOACA secured for infrastructure improvements in Geauga County.

Ms. Gallucci thanked legislators for their work and for taking the time to respond to NOACA's concerns and issues. She also recognized State Senator Kenny Yuko and State Senator John Eklund who attended the Legislative Meet & Greet, but had to leave prior to the Board meeting.

#### **Public Comments**

Mr. Newell Howard, resident of South Russell Village in Geauga County, stated that NOACA held a public meeting at the Chardon Public Library on July 19, 2018, to solicit input on the Long-Range Transportation Plan. He noted that Geauga County has not received any verbal or written details on the plan or how the plan will affect the residents. Mr. Howard expressed concern that the proposed gas tax increase will negatively impact Geauga County. He mentioned that questions were forwarded to State Representative Sarah LaTourette and Senator Eklund, who have not yet responded back with answers.

Ms. Gallucci stated that a public hearing was held in Geauga County in July for the Coordinated Public Transit-Human Services Transportation Plan, which will be completed within a couple of months and presented to the Board for approval in June.

Mr. Howard stated that the Coordinated Plan was supposed to be presented at this meeting. Ms. Gallucci stated that NOACA had some issues with the Lorain County portion of the plan and is in the process of making some modifications to it.

President McCall asked Mr. Howard to follow up with NOACA staff and Board members from Geauga County who can provide him with more information. Ms. Gallucci informed Mr. Howard that Ms. Gayle Godek, NOACA staff, will follow up with him after the Board meeting. Ms. Gallucci stated that counties receive gas tax funds which are distributed to the cities, townships and villages. Mr. Howard said South Russell Village does not receive any money from the gas tax.

#### **Executive Director's Report**

Ms. Gallucci reported on the following:

- The Communications and Stakeholder Engagement Plan for the Hyperloop Feasibility Study is being finalized with the Chicago team. Public engagement has been proposed for April 2019.
- HTT unveiled the Hyperloop capsule in October 2018 and will unveil the test track in Toulouse, France in April 2019.
- NOACA provided Strongsville with a \$1.4 million grant to help upgrade 57 traffic signals.
- NOACA provided a \$254,000 TLCI grant for a transit center on the Lakeland Community College campus.
- NOACA held three meetings in Lake County to get input on the new Lake County bicycle map.
- NOACA awarded the City of Brooklyn with a Section 5310 grant in the amount of \$53,500 to purchase a new senior center van.
- The Cleveland.com editorial supported the state gas tax increase.
- NOACA endorsed Fix Our Roads (FOR) Ohio's call for more state funding for transportation.
- Mr. Ferzan Ahmed is the new Executive Director of the Ohio Turnpike and Infrastructure Commission and Mr. Jack Marchbanks is the new ODOT Director.

Mr. Myron Pakush commented that Mr. Ahmed and Mr. Marchbanks are great people who will do a great job.

- American Society of Civil Engineers gave Northeast Ohio's infrastructure a D+.
- RTA launched a survey to help inform its System Redesign Study. The survey gathered feedback from transit riders and non-riders.

Dr. Floun'say Caver provided an overview of GCRTA's five pillar studies that will create the vision and future for the transit system. Ms. Gallucci mentioned that NOACA has a seat on GCRTA's System Redesign Study Stakeholder Committee.

- A \$5 million recreational trail project has been proposed for Orange Village that would provide a connection to the Orange City School District campus.
- Ms. Gallucci testified in Columbus in support of transportation infrastructure needs.
- A trail crossing typology planning tool can be found on NOACA's website.
- NOACA and APA Ohio Cleveland Chapter hosted an event called "What's Up With Pop-Ups" on February 21<sup>st</sup>.
- NOACA, GCRTA, and Laketran partnered on the "Northeast Ohio Loves Transit" challenge in February.

- The NARC National Conference of Regions took place on February 10-13, 2019.
- The “Hyperloop: Connecting the Great Lakes Region” presentation was given to three groups in January and February 2019.
- Workforce development was discussed at the Cuyahoga County-wide Economic Development meeting on January 24, 2019.
- NOACA Transportation Day will be held at Cleveland State University / Levin College of Urban Affairs atrium on May 3, 2019, 9:00 a.m. – 4:00 p.m.
- The 2019 Ohio Conference on Freight will be held at Westin Cleveland Downtown on August 7-9, 2019. NOACA has 10 free registrations available.

President McCall asked if the replica of the Hyperloop could be brought to Cleveland. Ms. Gallucci said the replica is a permanent fixed track that cannot be moved, but the vehicle could be brought to Cleveland.

**Resolution 2019-007: Appreciation to Adam Friedrich**

President McCall stated that the Board saw a different version of bipartisanship with Mr. Friedrich. Mr. Friedrich stated that he appreciated the time he served on the NOACA Board. Ms. Gallucci thanked Mr. Friedrich for his leadership and guidance and noted that she learned a lot from him. The resolution of appreciation was presented to Mr. Friedrich.

A motion was made by Engineer Andrew Conrad and seconded by Councilman Dale Miller to approve Resolution 2019-007. The motion passed by voice vote.

**Resolution 2019-008 Resolution of Appreciation to Ted Kalo**

President McCall and Ms. Gallucci thanked Mr. Kalo for his leadership.

The resolution of appreciation was presented to Mr. Kalo. Mr. Kalo expressed his appreciation to everyone he worked with at NOACA to make a better region overall.

A motion was made by Mr. Michael Dever and seconded by Councilman Miller to approve Resolution 2019-008. The motion passed by voice vote.

**Resolution 2019-009: Appreciation to Daniel P. Troy**

President McCall talked about Mr. Troy’s contribution to NOACA and his commitment to his constituents. Ms. Gallucci stated that Mr. Troy was very instrumental in guiding NOACA’s work and she thanked him for his leadership and support and noted that he will be missed.

Mr. Troy talked about his experience and the importance of NOACA’s work and regional cooperation. The resolution of appreciation was presented to Mr. Troy.

A motion was made by Mr. Ben Capelle and seconded by Mr. Dever to approve Resolution 2019-009. The motion passed by voice vote.

Mayor Hunter thanked Mr. Kalo and Mr. Troy for their leadership, for being great representatives of their counties, and for their kindness.

Commissioner Lundy thanked the three former Board members for their service and said they will be missed. He talked about Mr. Kalo's dedication to NOACA.

Commissioner John Hamercheck stated that all three former Board members will be missed. He thanked Mr. Troy for mentoring others and for encouraging him to get involved with NOACA.

**Resolution 2019-010: Signal Timing Optimization Program (STOP) Contract Modification**

Ms. Gallucci provided background on STOP and Albeck Gerken's work.

Mr. John Albeck presented an update on the STOP contract. He noted that Part I of the contract included an evaluation of West 150<sup>th</sup> Street / Warren Road and SOM Center Road corridors. Mr. Albeck reviewed the traffic signal system retiming process and performance evaluation of both corridors. He stated that the project benefits include emissions savings of 6,600 metric tons; fuel savings of 742,300; delayed savings of 729,500 hours; and a benefit cost ratio of 26:1. Mr. Albeck also reviewed Part I project status, project assignments, pilot project assignments and the elements for good timing. He noted that Part II of the STOP contract will focus on the Chester Avenue corridor.

Ms. Gallucci thanked Mr. Albeck for his firm's work and the communities for working with NOACA. President McCall asked staff to keep Cleveland City Council updated on the Chester Avenue corridor.

Mayor Annette Blackwell asked if the City of Maple Heights should contact NOACA or an engineering firm to address the traffic jams and anticipated growth with the opportunity zones on Warrensville Center Road. Ms. Gallucci said information should be forwarded to her. Ms. Gallucci explained how the corridors are selected for STOP and noted that staff will take a look at the list to see if the Warrensville Center Road corridor can be moved up on the list.

Ms. Susanna Merlone stated that a total of \$1 million was budgeted in the FY 2018 and FY 2019 Overall Work Programs (OWPs) for the STOP contract. She noted that Part I came in under budget so the resolution would take \$30,000 in savings from Part I and move it to Part II which includes a total of 66 traffic signals. Ms. Merlone stated that with Board adoption, NOACA staff will work with the communities and the consultant team to implement Part II of the STOP contract.

A motion was made by Mr. Dever and seconded by Ms. Tanisha Briley to approve Resolution 2019-010. The motion passed by voice vote.

President McCall asked staff to keep Cleveland elected officials, Planning Department, and Traffic Engineering Department updated on the work being done on Chester Avenue.

Ms. Gallucci stated that once the work begins, Cleveland elected officials and various departments will be invited to provide comments and participate in discussions.

**Resolution 2019-011: Contingency Plan: Revolving Line of Credit**

Ms. Billie Geyer reviewed NOACA's funding sources and noted that the agency relies on monthly reimbursements (\$400,000) from grantors to pay its bills. She stated that the NOACA Executive Director needs authorization to open or close a revolving line of credit that would not exceed \$1 million. Ms. Geyer reviewed the policy and procedures and noted that the

weekly drawdown amount would be \$100,000 per week. Ms. Geyer noted that the documentation cost is estimated to be \$200-\$300, plus interest on any outstanding balance. She said the financial impact of not having a contingency plan is that NOACA's cash flow may be inadequate to pay employees and/or vendors and contractors during an extended government shutdown. She stated that with Board adoption, NOACA staff will work toward procuring a revolving line of credit subject to the NOACA Revolving Line of Credit Policy.

Mr. Higgins asked why the drawdown amount was being limited to \$100,000 a week. Ms. Gallucci stated that NOACA's reserve is about \$100,000 a week.

Ms. Briley asked staff to comment on the connection between the Operating Reserve Policy amount and the Revolving Line of Credit Policy. Ms. Gallucci said the Reserve Policy states that NOACA must have about 2 ½ months in the reserve to cover operating expenses. Ms. Geyer mentioned that the 2 ½ months Reserve Policy is representative of funds to cover payroll for 3 months and other operating expenses for 2 months. Ms. Gallucci stated that NOACA uses its reserve to pay its bills, which is replenished when the agency is reimbursed; she noted that the Reserve Policy would not apply to a government shutdown.

Mr. James Cordes asked if the reserve is NOACA's cash flow. Ms. Gallucci said yes and noted that it is also the working capital. Ms. Gallucci provided background on NOACA's Reserve Policy. Ms. Geyer mentioned that the reserve has been low which is why NOACA increased its dues. Ms. Gallucci talked about the lag time for NOACA to be reimbursed its funds.

A motion was made by Mr. Cordes and seconded by Mr. Dever to approve Resolution 2019-011.

Mr. Bruce Landeg asked if NOACA has an essential personnel policy. Ms. Gallucci said no, but noted that one could be created. Mr. Landeg asked if the proposed policy would cover all NOACA employees. Ms. Gallucci said yes.

Ms. Kyle Dreyfuss-Wells asked if the grantors will allow NOACA to use a line of credit to repay the grants. Ms. Gallucci said the grants would be used to repay the line of credit. Ms. Dreyfuss-Wells asked if NOACA is allowed to use grant money in that way. Ms. Gallucci said yes because the grant money reimburses NOACA. Ms. Dreyfuss-Wells asked if the grantors would reimburse the bank. Ms. Gallucci said the grantors would reimburse NOACA and then NOACA would pay the bank.

The Board voted, Mr. Landeg voted no, and the motion passed by voice vote.

#### **Resolution 2019-012: NOACA Credit Card Policy**

Ms. Geyer stated that the proposed policy would formalize the existing procedures and include state requirements. She mentioned that NOACA has one account, two cards, and a credit limit of \$20,000. Ms. Geyer reviewed NOACA's credit card process and procedures and noted there was no financial impact to implementing the policy.

Mayor Pam Bobst asked if NOACA has a policy for personal credit card use. Ms. Geyer said not specifically for that purpose, but noted that NOACA minimizes personal credit card use. (Note: NOACA does have a policy regarding personal credit card use as part of a broader travel policy) Mayor Bobst asked if language on limited personal credit card use was included



in the proposed policy. Ms. Geyer said no. Mayor Bobst mentioned that state auditors discourage the use of personal credit cards.

President McCall asked staff to take a look at NOACA's personal credit card use, which is probably included in the travel policy. She asked staff to provide the Board with an update on NOACA's travel policy. She asked if NOACA has a preapproval process for employees to follow when purchasing something on short notice.

Ms. Gallucci stated that employees must get a purchase requisition approved prior to buying anything. Ms. Gallucci stated that exceptions occur, such as if an employee uses their personal credit card to pay for a taxi as part of a business trip or purchase something for a public hearing. She said state auditors have not required NOACA to have a policy for personal credit card use, but one could be created.

A motion was made by Councilman Matt Zone and seconded by Mayor Hunter to approve Resolution 2019-012. The motion passed by voice vote.

### **Resolution 2019-013: NOACA Position on Increased Fees for Transportation Infrastructure**

Ms. Gallucci stated that NOACA has maintained its position on increased user fees in a very broad sense and supports increased funding for public transit. She said it was up to the legislators to determine the amount.

Ms. Beverly Burtzlaff stated that Governor Mike DeWine proposed a gas tax increase of 18 cents per gallon for the motor fuel user fee indexed to inflation for future years that would generate an additional \$1.2 billion annually. The increase would be included in the SFY 2020-2021 Transportation Budget. Ms. Burtzlaff reviewed NOACA's caveats to increasing revenue through a user fee, including aligning the user fee to demonstrated need, distributing revenue in an equitable manner, increasing funding for public transportation, and funding maintenance prior to new capacity. She discussed the estimated fee distributions and the current formula versus VMT-based distribution.

Ms. Gallucci reviewed the current formula, VMT-based distribution, and the local component which consists of county, city, and township components. She mentioned that the NOACA region puts in \$225 million, but only gets back \$75 million, but if a VMT-based distribution was used, the region would get back \$101 million. Under a VMT-based distribution, all counties except Geauga would do well. She said NOACA would work to ensure that Geauga County would remain whole.

Ms. Burtzlaff stated that House Bill 62 includes a 10.7 cent increase for the motor vehicle user fee; a distribution formula that provides 55% for state and 45% for local; no indexing for inflation; and federal flex funding in the amount of \$100 million annually for transit. Ms. Burtzlaff mentioned that the bill has to be approved by the Senate. She noted that following Board approval, Resolution 2019-013 will be communicated to the state legislature, administration, and other external stakeholders.

A motion was made by Commissioner Lundy and seconded by Mr. Foley to approve Resolution 2019-013.

Mr. Friedrich asked how VMT is calculated. Ms. Gallucci stated that VMT is a precise estimate based on traffic counts and other data. She noted that NOACA gets its VMT data from ODOT.

Mr. Friedrich asked if there has been any discussion about changing VMT to vehicle miles reported based on annual registrations. Ms. Gallucci said no, but noted there was a discussion about creating a fee for electric vehicles. She said pilots around the country are looking at VMT through GPS which would provide funding for the roads being used. She said Northeast Ohio may participate in a pilot, as well.

Engineer Cattell asked if staff's VMT analysis referred to local roads only. Ms. Gallucci said interstates were not included in the analysis. Engineer Cattell asked if the state routes have been included in the 55% (state/ODOT portion) of the distribution formula. Ms. Gallucci said state routes are only part of the 55% in unincorporated areas, but that state routes in the incorporated areas are the local jurisdiction's responsibility, thus part of the 45% (local government portion).

Engineer Cattell stated that the counties' portion was split 1/88<sup>th</sup> because the registration fees in Southern Ohio rural counties bring in virtually no money. He noted that the urban zones bring in more money from registrations than rural areas, but when it comes to the gas tax, the rural areas get more money than they should and urban areas get less money. He said both funding sources should be looked at as a package. Engineer Cattell said he would be happier with a decrease in the gas tax if the legislature adds an inflation index.

Ms. Gallucci stated that one model to consider is the federal gas tax where 95% of the tax generated in a state gets returned to that state. Thus, relative to the state motor vehicle user fee, perhaps 90-95% of the funding generated by a county, comes back to that county, and the remaining funding could be redistributed to other counties of the state. She noted that staff is looking at other formulas.

Councilman Miller suggested that NOACA recommend \$100 million for federal flex funding for public transportation and focus on increasing the general revenue funds for public transportation. He said NOACA's resolution was weak.

A motion was made by Councilman Miller and seconded by Mr. Foley to amend Resolution 2019-013 to include the following language in Section 1: "NOACA supports the increase in the gasoline tax provided that the following issues are included concurrently..."

Mr. Ben Capelle asked if the amendment could include the \$120 million mentioned in the ODOT Transit Needs Study. Ms. Gallucci said yes, provided staff can be provided the documentation of that amount in the study.

Ms. Stacy Bauer read the following language to be included in Section 1 of the resolution:

"NOACA supports opportunities to increase revenue to a sufficient level to achieve a state of good repair of Ohio transportation system through user fees or other alternate methods provided however that the following issues are included concurrently..."

Mr. Capelle mentioned that the Ohio Public Transit Association (OPTA) stated that public transportation should get \$120 million in flex funds.

Dr. Caver located the language in the Transit Needs Study that states \$120 million.

Mayor Brennan asked if conditions would be placed on the recommendations. Ms. Gallucci said the amendment would change the recommendations to requirements.

Ms. Briley suggested including the amount of \$120 million in the third recommendation.

Councilman Miller withdrew his original amendment, made a motion for a new amendment to include the original amendment and add the dollar amount of \$120 million to the third recommendation.

President McCall requested that the amendment be tabled so staff can make changes to the resolution and present it under old business.

A motion was made by Mr. Friedrich and seconded by Mayor Blackwell to table the amendment. The motion passed by voice vote.

Ms. Briley suggested changing the word “with” to the word “and” in the first sentence.

A motion was made by Mr. Friedrich and seconded by Mr. Higgins to table Resolution 2019-013. The motion passed by voice vote.

Mayor Robert Stefanik suggested keeping the resolution vanilla.

Mr. Myron Pakush stated that he would be abstaining from voting on Resolution 2019-013 and amendments to it since ODOT supports Governor DeWine’s proposal. He noted that if ODOT receives less than 18 cents, a lot of projects will not get done. He asked Board members to keep pushing the legislature for the 18 cents and get the business community behind the bill.

President McCall talked about the region needing more than 18 cents. She asked staff to present some recommendations when this agenda item is brought back under old business.

Mayor Bobst asked if language on indexing will be included in Section 1. Ms. Gallucci said staff will change the word “with” to the word “and” in the first sentence; add language on indexing to Recommendation 2; and add language on \$120 million to Recommendation 3.

President McCall asked Mr. Pakush if he would be willing to defer the Opportunity Corridor presentation to another time. Mr. Pakush said yes.

Mayor David Roche asked for clarification on the user fee of 40% in Recommendation 1 of Section 1. Ms. Gallucci said staff will clarify by adding “prior to debt service” in the language.

**Resolution 2019-014: Project Planning Reviews (PPRs)/Intergovernmental Review and Consultation (IGRC); 3<sup>rd</sup> Quarter State Fiscal Year 2019**

Mr. Ed May reviewed the following projects included in the 3<sup>rd</sup> quarter PPRs:

- Reconstruction and Widening of Chagrin Boulevard in the Village of Woodmere (CUY SR087-12.05: PID No.108766) - This project includes the following improvements: additional through lane westbound, sidewalk construction, resurfacing and traffic signal software upgrade. The total estimated cost of this project is \$3.2 million. No NOACA funds will be used. Project comments were forwarded to the sponsor.
- LAKETRAN Electric Bus and Infrastructure - This project includes the following improvements: replacement of 2 diesel buses with battery electric buses, installation

of electric bus charging stations and reconstruction of the Wickliffe Park-N-Ride. The total cost of this project is \$3.6 million. No NOACA funds will be used.

- LAKETRAN On-Board Computers and Equipment - This project involves replacing 3G technology with 4G technology to continue operating automatic vehicle location (AVL) software and on-board computers for dispatching and routing. The total cost of this project is \$380,000. No NOACA funds will be used.

President McCall asked if the new equipment will allow for upgrades. Mr. Capelle said Laketrans was upgrading to 4G because 3G will be phased out.

- LAKETRAN FY 20 Replacement Light Transit Vehicles (LTVs) - This project involves purchasing 8, 14 LTVs per year to replace vehicles in the fleet that have reached or exceeded their useful life. The total cost of this project is \$1.8 million. No NOACA funds will be used.

A motion was made by Mr. Capelle and seconded by Mr. Collier to approve Resolution 2019-014.

Councilman Miller asked why there were no GCRTA projects included in the PPRs this quarter. Mr. May said no GCRTA projects were submitted this quarter. Ms. Gallucci said GCRTA projects are already in the Plan and TIP.

The Board voted and the motion passed by voice vote.

#### **Resolution 2019-015: Plan and TIP Amendments; 3<sup>rd</sup> Quarter State Fiscal Year 2019**

Mr. May presented the following projects to be amended to the Plan and TIP:

- Reconstruction and Widening of Chagrin Boulevard in the Village of Woodmere (CUY SR087-12.05)
- LAKETRAN Electric Bus and Infrastructure
- LAKETRAN On-Board Computers and Equipment
- LAKETRAN FY 2020 Replacement Light Transit Vehicles (LTVs)
- US 42 (Pearl Rd) in Strongsville, Middleburg Heights, Parma and Parma Heights
- LAKETRAN SFY 2019 Replacement Vehicles (project sponsor: Laketrans)
- LAKETRAN SFY 2020 Replacement Vehicles (project sponsor: Laketrans)
- STRONGSVILLE SIGNALS: Intersections along US-42 (Pearl Rd) and SR-82 (Royalton Rd) project sponsor: Strongsville

Mr. May stated that the total cost of the projects to be amended to the Plan and TIP is \$32.4 million. He noted that NOACA provided \$10.9 million for the projects. He said the projects will receive funding from FHWA or FTA and will be administered through ODOT.

A motion was made by Mayor Kirsten Holzheimer Gail and seconded by Mr. Higgins to approve Resolution 2019-015. The motion passed by voice vote.

#### **Resolution 2019-016: Geauga County FPA – Prescriptions for Wastewater Treatment Modification in Chester Township**

Ms. Gallucci stated that the Geauga County FPA prescription modification was recommended by the Water Quality Subcommittee and the Planning and Programming Committee.

A motion was made by Mr. Shane Hajjar and seconded by Mr. Dever to approve Resolution 2019-016. The Board voted, Mr. Pakush abstained, and the motion passed by voice vote.

**Resolution 2019-017: Lake County FPA – Willoughby / Eastlake FPA Modification**

President McCall stated that the Lake County FPA – Willoughby/Eastlake FPA modification was recommended by the Water Quality Subcommittee and the Planning and Programming Committee.

A motion was made by Mr. Higgins and seconded by Mr. Dever to approve Resolution 2019-017. The Board voted, Mr. Pakush abstained, and the motion passed by voice vote.

**Resolution 2019-018: Medina County FPA – Wadsworth FPA Boundary Modification**

Ms. Gallucci discussed the Medina County – Wadsworth negotiation meetings, FPA map changes, NOACA's original and updated compromises, Wadsworth's proposals, and the updated proposal agreed to by the affected parties. Below are highlights of the updated proposal:

- Medina County will remain a Wadsworth sewer customer until 2021
- The north lift station's service area to Medina FPA will include 321 Medina County customers
- The south lift station's service area will remain in the Wadsworth FPA - Medina County assets ~600 customers will be transferred to Wadsworth
- Areas will be added to the Wadsworth FPA to offset the loss of the north lift station customers ~200 future customers by 2021
- Medina County's annual settlement payment to Wadsworth
  - From 2021 through 2025 (agreement end date)
  - \$280,000 (2021); \$170,000 (2022); \$100,000 (2023-2025)
  - Total = \$750,000

A motion was made by Mayor Stefanik and seconded by Mr. Dever to approve Resolution 2019-018.

Mr. Friedrich expressed his dislike for the new proposal. He talked about the original proposal, previous action taken by the Board, and Medina County's revenue loss.

Mayor Hunter thanked the Board for its patience with this FPA modification issue.

Commissioner Bill Hutson said the compromise will enable all parties to move forward.

Mr. Robert Patrick read a statement from Mayor Robin Laubaugh who thanked NOACA staff, Board, and Mayor Stefanik for helping to resolve the FPA issue. Mr. Patrick thanked the Northeast Ohio Regional Sewer District and Ohio EPA for their assistance and Commissioner Hutson for being open to discussions and a resolution.

Mayor Stefanik, President McCall, and Ms. Gallucci thanked everyone who helped to resolve this issue.

The Board voted, Mr. Pakush abstained, Mr. Friedrich voted no, and the motion passed by voice vote.

**Resolution 2019-019: Transportation for Livable Communities (TLCI) Project Recommendations**

Ms. Gallucci stated that the TLCI project recommendations were endorsed by the Transportation Subcommittee and the Planning and Programming Committee. Mr. Thompson presented lists of recommended planning and implementation projects.

A motion was made by Mr. Dever and seconded by Mayor Brennan to approve Resolution 2019-019. The motion passed by voice vote.

**Resolution 2019-020: New or Modified Highway Interchange Projects Amendment Policy**

Mr. Brian Blayney stated that the proposed policy was recommended by the appropriate committees and councils. He read the new text to be included in the proposed policy.

A motion was made by Mayor Samuel Alai and seconded by Mayor Stefanik to approve Resolution 2019-020. The motion passed by voice vote.

**Resolution 2019-021: Public Transit Performance Measures and Target Setting**

Mr. Mike Daugherty stated that the proposed policy was recommended by the appropriate committees and councils. He noted that the recommendation is to establish four regional transit performance targets by tiers.

A motion was made by Dr. Caver and seconded by Mr. Capelle to approve Resolution 2019-021. The motion passed by voice vote.

**Resolution 2019-022: Safety Performance Target Setting for CY 2019**

Mr. Blayney stated that the safety performance target setting was recommended by the appropriate committees and councils. He noted that the recommendation is for NOACA to adopt ODOT's targets of 1% reduction for all performance measures. He mentioned that staff would finalize the Transportation Safety Action Plan (TSAP) and implement the recommendations.

Mr. Pakush stated that he was comfortable with the changes made by NOACA staff. Ms. Gallucci said staff followed suit with ODOT's policy.

A motion was made by Commissioner Hutson and seconded by Mayor Hunter to approve Resolution 2019-022. The motion passed by voice vote.

**PRESENTATION / DISCUSSION ITEMS**

**ODOT Presentation on Opportunity Corridor**

The ODOT presentation was deferred to the next Board meeting. A handout on the two-year closure of I-490 was offered to Board members.

**Reports / Updates**

No reports / updates were presented at this meeting.

## **Old Business**

### **Resolution 2019-013: NOACA Position on Increased Fees for Transportation Infrastructure**

A motion was made by Mayor Alai and seconded by Mr. Heidecker to bring Resolution 2019-013 back on the table. The motion passed by voice vote.

Ms. Gallucci reviewed the following recommended changes to Section 1:

- First sentence: Change the word “with” to the word “and” in the sentence.
- Recommendation 1 will read: “Align the amount of the user fee appropriately to the demonstrated need, with a greater proportion to at least 40%, prior to the amount taken off the top for debt service, of all revenues going to counties, cities, and townships.”
- Recommendation 2 will read: “Index the motor fuel user fee for future inflation.”
- Recommendation 4 will read: “Increase funding for public transportation to at least the \$120 million goal as contained in the 2015 ODOT Transit Needs Study...”

Mayor Hunter suggested that NOACA try to get the actual funding needed instead of concurring with the 10.7 cents. Ms. Gallucci referred Mayor Hunter to Recommendation 1.

Mayor Brennan said Recommendation 1 should clearly state the needs. Ms. Gallucci said she will work with her colleagues at OARC to get that information. President McCall asked Ms. Gallucci to include a number in the resolution before sending it out.

A motion was made by Mayor Summers and seconded by Mr. Dever to approve the revised language in Resolution 2019-013.

Councilman Miller commented that he was not optimistic that much would happen if NOACA's recommendations are not included in the overall package. He said he supported the revised resolution.

Mayor Blackwell asked if there was a reason for pushing the resolution through so quickly at this meeting. President McCall said yes and noted that the transportation bill was approved by the House and will soon move to the Senate. President McCall said it was important for NOACA's voice to be on record.

Mayor Roche suggested including two sections in the resolution: Section 1 would be the Governor's proposal and Section 2 would be the original Section 1.

Commissioner Lundy suggested that Section 1 reads as “NOACA supports the Governor's proposal of 18 cents as a minimum or greater...” Ms. Gallucci said the issue is with the distribution not the amount.

The Board discussed having staff make additional changes to the language in the resolution.

Mayor Alai suggested including the following language in the first sentence of Section 1: "NOACA supports the Governor's proposal to increase revenue to a sufficient level..."

President McCall asked the Board if it was comfortable with staff making the appropriate changes to Section 1. The Board had no objection to changes being made to the resolution.

A motion was made by Mayor Roche and seconded by Commissioner Lundy to approve the amendment to have staff modify the language in Section 1 of the resolution. The Board voted to approve the amendment, Mr. Pakush abstained, and the motion passed by voice vote.

The Board voted to approve Resolution 2019-013, Mr. Pakush abstained, and the motion passed by voice vote.

### **New Business**

No new business was discussed at this meeting.

### **Adjournment**

President McCall stated that the next Board meeting will be held at the NOACA offices on June 14, 2019, 9:00 a.m. There being no further business, the meeting was adjourned at 12:40 p.m.

Respectfully submitted,

Chief Valarie McCall, City of Cleveland  
NOACA Board President





X - Member present                      A - Alternate present



# NOACA BOARD MEETING ATTENDANCE

March 8, 2019

BOARD MEMBERS	Attendee's Signature	ALTERNATES
<input checked="" type="checkbox"/> ALAI, Samuel J. (Cuyahoga) <input type="checkbox"/>		<input checked="" type="checkbox"/> <input type="checkbox"/> SCHROEDEL, David
BARNETT, Paul (Medina) <input type="checkbox"/>		<input type="checkbox"/> PATRICK, Robert
BLACKWELL, Annette M. (Cuyahoga) <input type="checkbox"/>		<input type="checkbox"/> JONES, Toni
BOBST, Pam (Cuyahoga) <input type="checkbox"/>		<input type="checkbox"/> KOOMAR, Paul
BRANDON, Jeff (Medina) <input type="checkbox"/>		<input type="checkbox"/> FRIEDRICK, Adam
BRENNAN, Michael Dylan (Cuyahoga) <input type="checkbox"/>		<input type="checkbox"/> POKORNY, Jeffrey
BRILEY, Tanisha R. (Cuyahoga) <input type="checkbox"/>		<input type="checkbox"/> WONG, Richard
BRINDA, Holly (Lorain) <input type="checkbox"/>		<input type="checkbox"/> SCHNEIDER, John
BUDISH, Armond (Cuyahoga) <input type="checkbox"/>		<input checked="" type="checkbox"/> FOLEY, Mike
CAPELLE, Ben (Laketran) <input type="checkbox"/>		<input type="checkbox"/> FALKOWSKI, Brian J.
CARNEY, Sr., Kenneth P. (Lorain) <input checked="" type="checkbox"/>		<input type="checkbox"/> KLAIBER, Jr., Robert C.
CIRINO, Jerry (Lake) <input type="checkbox"/>		<input type="checkbox"/> FILIPIAK, Kenneth
CLOUGH, Dennis (Cuyahoga) <input type="checkbox"/>		<input checked="" type="checkbox"/> CAVER, Floun'say
COLLIER, Jr., Freddy L. (Cleveland) <input checked="" type="checkbox"/>		<input type="checkbox"/> SANTORA, Anthony
CONRAD, Andrew <input checked="" type="checkbox"/>		<input type="checkbox"/> SZABO, David
DEGEETER, Timothy J. (Cuyahoga) <input type="checkbox"/>	BRIAN HIGGINS	<input type="checkbox"/> HIGGINS, Brian
DEVER, Michael (Cuyahoga) <input checked="" type="checkbox"/>		<input type="checkbox"/> ENGLISH, Nichole
DREYFUSS-WELLS, Kyle (NEORS) <input type="checkbox"/>		<input type="checkbox"/> ROBERTSON, Darnella
DVORAK, James (Geauga) <input checked="" type="checkbox"/>		<input type="checkbox"/> GORRIS, Nicholas
FRIEDMAN, William D. (Port Authority) <input type="checkbox"/>		<input checked="" type="checkbox"/> STERNHEIMER, Linda
GAIL, Kirsten Holzheimer (Cuyahoga) <input checked="" type="checkbox"/>		<input type="checkbox"/> KNECHT, Dan
GAMMELLA, Michael D. (Cuyahoga) <input type="checkbox"/>		<input type="checkbox"/> D'AMICO, Anthony
GILLS, James R. (Lake) <input type="checkbox"/>		<input checked="" type="checkbox"/> LANDEG, Bruce
GRIFFIN, Blaine (Cleveland) <input checked="" type="checkbox"/>		<input type="checkbox"/> HAIRSTON, Anthony T.
HAMERCHECK, John R. (Lake) <input checked="" type="checkbox"/>		<input type="checkbox"/> GERSON, Daniel J.
HEIDECKER, Richard (Lorain) <input checked="" type="checkbox"/>		<input type="checkbox"/> CUNNINGHAM, Mark
HUNTER, John D. (Lorain) <input checked="" type="checkbox"/>		<input type="checkbox"/> JENSEN, Bryan
HUTSON, William (Medina) <input type="checkbox"/>		<input type="checkbox"/> GEISSMAN, Patricia
INFELD, Susan (Cuyahoga) <input type="checkbox"/>		<input type="checkbox"/> SONNHALTER, James
KEANE, Martin J. (Cleveland) <input type="checkbox"/>		<input checked="" type="checkbox"/> KELLEY, Kevin
KOKOSKI, Lori (Lorain) <input type="checkbox"/>		<input checked="" type="checkbox"/> CORDES, James
LENNON, Timothy C. (Geauga) <input type="checkbox"/>		<input checked="" type="checkbox"/> HAJJAR, Shane
LUNDY, Matt (Lorain) <input type="checkbox"/>		<input type="checkbox"/> ZILKA, Greg
MCCALL, Valarie J. (Cleveland) <input type="checkbox"/>		<input type="checkbox"/> JACKSON, Frank
MILLER, Dale (Cuyahoga) <input checked="" type="checkbox"/>		<input type="checkbox"/> NANNI, Joseph
PAKUSH, Myron S. (ODOT) <input checked="" type="checkbox"/>		<input type="checkbox"/> WEAVER, BOB
RITENAUER, Chase M. (Lorain) <input type="checkbox"/>		<input checked="" type="checkbox"/> SINGER, Guy
ROCHE, David H. (Cuyahoga) <input checked="" type="checkbox"/>		<input type="checkbox"/> COURTNEY, Lee
SPIDALIERI, Ralph (Geauga) <input type="checkbox"/>		<input type="checkbox"/> CATTELL, Joseph
SPRONZ, Matthew L. (Cleveland) <input type="checkbox"/>		<input type="checkbox"/> SWITALSKI, Richard
STEFANIK, Robert A. (Cuyahoga) <input checked="" type="checkbox"/>		<input type="checkbox"/> JORDAN, Thomas
SUMMERS, Michael P. (Cuyahoga) <input type="checkbox"/>		<input type="checkbox"/> BENO, Joseph
YOUNG, Ron (Lake) <input type="checkbox"/>		<input checked="" type="checkbox"/> FIALA, Robert A.
ZONE, Matt (Cleveland) <input checked="" type="checkbox"/>		<input type="checkbox"/> BRANCATELLI, Anthony
PRINCIC, Kurt (Ohio EPA) <input type="checkbox"/>		<input type="checkbox"/> KURKO, Jennifer
(ex officio member)		

**COMMITTEE UPDATES**







## **NORTHEAST OHIO AREA WIDE COORDINATING AGENCY**

### **MEMORANDUM**

**TO:** NOACA Board of Directors

**FROM:** Grace Gallucci, Executive Director

**DATE:** June 7, 2019

**RE:** **Committee Updates**

#### **Executive Committee**

The Executive Committee was chaired by Chief Valarie McCall on May 10, 2019.

Under action items, the Committee endorsed the following:

- ODOT- NOACA Interagency Agreement
- NOACA Geauga County Amish Safety BUILD Project
- SFY 2020 Overall Work Program (OWP) and budget
- Regional Strategic Transit Plan
- Great Lakes Hyperloop Feasibility Study contract amendment
- LOR Avon Citywide Bicycle and Multi-use Path TLCI Study
- CUY North Royalton State Road Sidewalks Phase I TLCI Implementation
- Project planning reviews (PPRs)/intergovernmental review and consultation (IGRC); 4th quarter SFY 2019 - Major rehabilitation of US-20 in Madison Township (LAK US-20 – 24.99 PID No 109270)
- Plan and TIP amendments; 4th quarter SFY 2019
  - Major rehabilitation of US-20 in Madison Township - (LAK US-20 – 24.99 PID No 109270)
  - Replacing bridge on Bundysburg Road in Parkman Township – (GEA BUNDYSBURG RD: PID No. 94371)
- SFY 2020 Annual Priority List
- Functional classification amendment
- Facility planning area (FPA) modification request
- Geauga County FPA – Prescriptions for Wastewater Treatment
- Modification in Chardon Township
- Coordinated Public Transit-Human Services Transportation Plan for Northeast Ohio
- Transportation conformity analysis for 2015 Ozone National Ambient Air Quality Standard (NAAQS) designation

No old business was discussed at this meeting.

Under new business, the Committee added two additional items to the June Board agenda: seat allocation discussion and majority vote for ratification discussion.

The Executive Committee will meet next on August 9, 2019 at 11:30 a.m.

### **External Affairs Committee**

The External Affairs Committee meeting was chaired by Commissioner Matt Lundy on April 12, 2019.

Under presentation / discussion items, the Committee received information on the following:

- Update on Ohio's motor fuel user fee increase
- Hyperloop stakeholder engagement meetings
- External Engagement and Affairs Model
- External Affairs Committee – NOACA dialogue series

No old / new business and no reports / updates were presented at this meeting.

The External Affairs Committee will meet next on July 12, 2019 at 8:30 a.m.

### **Finance and Audit Committee**

The Finance and Audit Committee was chaired by Mayor Chase Ritenauer on May 10, 2019.

Under action items, the Committee endorsed the following:

- SFY 2020 Draft Overall Work Program (OWP)
- Regional Strategic Transit Plan
- Contract amendment – Great Lakes Hyperloop Feasibility Study
- LOR Avon Citywide Bicycle and Multi-use Path TLCI Study
- CUY North Royalton State Street Sidewalks TLCI Implementation

There were no presentation / discussion items at this meeting.

Under reports / updates, the Committee received the financial report and the Capital Programs Performance Measures Report.

Under old business, the Committee received an update on the gas tax increase and information on the inequity of the distribution formulas.

No new business was discussed at this meeting.

The Finance and Audit Committee will meet next on August 9, 2019 at 8:30 a.m.

### **Governance Committee**

The Governance Committee was chaired by Chief Valarie McCall on May 10, 2019.

Under presentation / discussion items, the Committee discussed the following:

- Ohio Turnpike and Infrastructure Commission membership
- NOACA member dues allocation
- NOACA standing committee structure

The Committee passed two motions made by Commissioner Lundy: to address the allocation of seats based on population as stated in the Code of Regulations, and to explore alternatives to the

ratification requirement in Article IX.

No reports / updates and no old / new business were discussed at this meeting.

The Governance Committee will meet next on August 9, 2019 at 10:00 a.m.

### **Planning and Programming Committee**

The Planning and Programming Committee was chaired by Mr. Freddy Collier on April 12, 2019.

Under action items, the Committee endorsed the following:

- Project planning reviews (PPRs)/intergovernmental review and consultation (IGRC); 4th quarter state fiscal year (SFY) 2019
- Plan and TIP amendments; 4th quarter SFY 2019
- SFY 2020 Annual Priority List
- Functional classification amendments
- Geauga County FPA – Prescriptions for wastewater treatment modification in Chardon Township
- Coordinated Public Transit-Human Services Transportation Plan for Northeast Ohio update
- Transportation conformity analysis for 2015 Ozone National Ambient Air Quality Standard (NAAQS) nonattainment designation

Under presentation / discussion items, the Committee received information on the following:

- SFY 2020 Overall Work Program (OWP) overview
- SFY 2021-2024 TIP development update
- Great Lakes Hyperloop Feasibility Study update

No old / new business was discussed at this meeting.

The Planning and Programming Committee will meet next on July 12, 2019 at 11:30 a.m.

### **Policy Committee**

The Policy Committee was chaired by Commissioner Tim Lennon on April 12, 2019.

Under presentation / discussion items, the Committee received information on the following:

- NOACA's Water Quality Management Plan (208 Plan) - Current wastewater facility planning area (FPA) modification policies
- Workforce mobility and access

No old business was discussed at this meeting.

Under new business, the Committee received information on the Vision Zero concept being worked on by the City of Cleveland and its partners. A request was made by a committee member to present information on the Vision Zero concept to the full NOACA Board.

The Policy Committee will meet next on July 12, 2019 at 10:00 a.m.

GG/bw/3060b

NORTHEAST OHIO AREA WIDE COORDINATING AGENCY

FISCAL YEAR 2019 - FINANCIAL INFORMATION (As of May 31, 2019)

	FISCAL 2019 BUDGET	REVISIONS	BUDGET AS REVISED (A)	EXPENDED THROUGH 05/31/19 (B)	BUDGET REMAINING (A-B)	C TARGET BUDGET (YTD) (A/12)*11 mo.	PERCENTAGE OF TARGET (YTD) (B/C)	PERCENTAGE OF ANNUAL BUDGET (B/A)
<b>STAFFING</b>								
SALARIES	\$ 3,604,493		\$ 3,604,493	\$ 2,980,387	\$ 624,106	\$ 3,304,119	90%	83%
FRINGE BENEFITS	1,241,567		1,241,567	1,018,013	223,554	1,138,103	89%	82%
TRAINING & PROFESSIONAL DUES	70,765	(1,500)	69,265	26,681	42,585	63,493	42%	39%
	\$ 4,916,825	\$ (1,500)	\$ 4,915,325	\$ 4,025,080	\$ 890,245	\$ 4,505,715	89%	82%
<b>CONSULTING SERVICES</b>								
CONSULTANTS	\$ 2,309,518	\$ 13,873	\$ 2,323,391	\$ 1,240,382	\$ 1,083,009	\$ 2,129,775	58%	53%
LEGAL SERVICES	25,000		25,000	17,470	7,530	22,917	76%	70%
AUDIT	17,000		17,000	16,400	600	15,583	105%	96%
	\$ 2,351,518	\$ 13,873	\$ 2,365,391	\$ 1,274,252	\$ 1,091,139	\$ 2,168,275	59%	54%
<b>OTHER OPERATING EXPENSES</b>								
ADVERTISING/RECRUITING/SPONSORSHIPS	\$ 34,850		\$ 34,850	30,652	\$ 4,198	\$ 31,946	96%	88%
SUPPLIES	103,514	(178)	103,336	66,073	37,263	94,725	70%	64%
POSTAGE	3,250		3,250	4,660	(1,410)	2,979	156%	143%
MEETING COSTS	32,200		32,200	3,111	29,089	29,517	11%	10%
SOFTWARE	97,956		97,956	72,012	25,944	89,793	80%	74%
OUTSIDE REPRODUCTION	45,000		45,000	6,495	38,505	41,250	16%	14%
PUBLICATIONS	775		775	1,114	(339)	710	157%	144%
ACCOUNTING SERVICES	2,800		2,800	1,256	1,544	2,567	49%	45%
TRAVEL	61,515		61,515	26,928	34,587	56,389	48%	44%
REGIONAL COUNCIL DUES/MEMBERSHIPS	33,600		33,600	34,653	(1,053)	30,800	113%	103%
MISCELLANEOUS	21,607		21,607	128	21,479	19,806	1%	1%
INSURANCE	19,650	1,400	21,050	20,969	81	19,296	109%	100%
	\$ 456,717	\$ 1,222	\$ 457,939	\$ 268,051	\$ 189,888	\$ 419,777	64%	59%
<b>OCCUPANCY &amp; EQUIPMENT</b>								
FURNITURE & EQUIPMENT/HARDWARE	\$ 96,450	\$ 52,178	\$ 148,628	\$ 67,848	\$ 80,780	\$ 136,242	50%	46%
CAPITAL OUTLAY	63,530	12,577	76,107	90,802	(14,695)	69,765	130%	0%
UTILITIES	66,500		66,500	51,647	14,853	60,958	85%	78%
BUILDING-RELATED EXPENSES	41,250		41,250	47,849	(6,599)	37,813	127%	116%
PARKING	2,000		2,000	1,833	168	1,833	100%	92%
TELEPHONE	18,300		18,300	14,246	4,054	16,775	85%	78%
EQUIPMENT LEASING	3,000		3,000	1,080	1,920	2,750	39%	36%
MAINTENANCE & REPAIR - Equip	22,700		22,700	27,842	(5,142)	20,808	134%	123%
	\$ 313,730	\$ 64,755	\$ 378,485	\$ 303,148	\$ 75,338	\$ 346,945	87%	80%
<b>SUB-TOTAL</b>	<b>\$ 8,038,790</b>	<b>\$ 78,350</b>	<b>\$ 8,117,140</b>	<b>\$ 5,870,532</b>	<b>\$ 2,246,608</b>	<b>\$ 7,440,712</b>	<b>79%</b>	<b>72% *</b>
<b>PASS-THROUGH EXPENSES</b>								
TLCI - FUNDED	\$ 2,354,000		\$ 2,354,000	\$ 0	\$ 2,354,000	\$ 2,157,833	0%	0%
FTA - NEW FREEDOM/5310 PROGRAM	4,309,380		4,309,380	975,907	3,333,473	3,950,265	25%	23%
<b>SUB-TOTAL</b>	<b>6,663,380</b>		<b>6,663,380</b>	<b>975,907</b>	<b>5,687,473</b>	<b>6,108,098</b>	<b>16%</b>	<b>15%</b>
<b>TOTAL</b>	<b>\$ 14,702,170</b>	<b>\$ 78,350</b>	<b>\$ 14,780,520</b>	<b>\$ 6,846,439</b>	<b>\$ 7,934,081</b>	<b>\$ 13,548,810</b>	<b>51%</b>	<b>46% **</b>

\* The Agency has expended approximately 72 percent of the fiscal year 2019 operating budget.

\*\* The Agency has expended approximately 46 percent of the fiscal year 2019 budget.



# NOACA MEMBER DUES - RECEIVABLES

As of May 31, 2019

	FISCAL YEAR 2019 DUES					
	Current Dues			Increase Amount		
	Payable July	Received	Receivable	Payable January	Received	Receivable
<b>CUYAHOGA COUNTY</b>						
Cuyahoga County	\$165,507	\$165,507	\$0	\$55,735	\$55,735	\$0
NEORS	34,843	34,843	0	11,734	11,734	0
GCRTA	34,843	34,843	0	11,734	11,734	0
Cleve-Cuy County Port Authority	34,843	34,843	0	11,734	11,734	0
City of Cleveland	51,304	51,304	0	17,277	17,277	0
Other Municipalities & Townships	114,201	114,201	0	38,455	38,455	0
Total Cuyahoga County	\$435,541	\$435,541	\$0	\$146,669	\$146,669	\$0
<b>LORAIN COUNTY</b>						
Lorain County Commissioners	\$42,038	\$42,038	\$0	\$14,156	\$14,156	\$0
Lorain County Engineers	14,354	14,354	0	4,834	4,834	0
Municipalities & Townships	46,140	42,805	3,335	15,538	14,415	1,123
Total Lorain County	\$102,532	\$99,197	\$3,335	\$34,528	\$33,405	\$1,123
<b>LAKE COUNTY</b>						
Lake County Commissioners	\$46,960	\$46,960	\$0	\$15,814	\$15,814	\$0
Lake County Engineers	15,654	15,654	0	5,272	5,272	0
Laketran	15,654	15,654	0	5,272	5,272	0
Total Lake County	\$78,268	\$78,268	\$0	\$26,358	\$26,358	\$0
<b>MEDINA COUNTY</b>						
Medina County Commissioners	\$58,633	\$58,633	\$0	\$19,745	\$19,745	\$0
<b>GEAUGA COUNTY</b>						
Geauga County Commissioners	\$15,886	\$15,886	\$0	\$5,350	\$5,350	\$0
Geauga County Engineers	9,532	9,532	0	3,210	3,210	\$0
Geauga County Sanitary Eng	6,355	6,355	0	2,140	2,140	\$0
Total Geauga County	\$31,773	\$31,773	\$0	\$10,700	\$10,700	\$0
<b>TOTAL FISCAL YEAR 2019</b>	<b>\$706,747</b>	<b>\$703,412</b>	<b>\$3,335</b>	<b>\$238,000</b>	<b>\$236,877</b>	<b>\$1,123</b>

	FISCAL YEAR 2018 DUES		
	Invoiced	Received	Receivable
Lorain County	\$102,532	\$102,532	\$0
<b>TOTAL FISCAL YEAR 2018</b>	<b>\$102,532</b>	<b>\$102,532</b>	<b>\$0</b>

NORTHEAST OHIO AREAWIDE COORDINATING AGENCY

CHANGE IN CASH POSITION MAY 2019

<u>DESCRIPTION</u>	<u>RECEIPTS</u>	<u>DISBURSEMENTS</u>	<u>BALANCE</u>
BEGINNING BALANCE MAY 1, 2019			\$ 221,586.32
FEDERAL TRANSIT AGENCY	163,228.00		
FREIGHT CONFERENCE	1,892.24		
NOACA DUES	0.00		
CLEVELAND FOUNDATION	0.00		
ODOT/FHWA	416,870.46		
ENVIRONMENTAL PROGRAMS	0.00		
CRCPO	0.00		
MISCELLANEOUS	81.00		
INTEREST ON ACCOUNTS	0.00		
OHIO TURNPIKE	0.00		
TRANSFER FROM STAR OHIO	175,000.00		
TRANSFER FROM CITIZENS INTEREST CHECKING	125,000.00		
VENDORS		\$ 235,821.81	
PAYROLL		407,153.49	
TRANSFER TO TRISTATE CAPITAL - CDARS		0.00	
TRANSFER TO STARPLUS		0.00	
TRANSFER TO CITIZENS INTEREST CHECKING		250,000.00	
TRANSFER TO STAR OHIO		150,000.00	
HUD FUNDS TO NEOSCC		0.00	
ENDING DECEMBER 31, 2018			\$ 60,682.72
TOTAL	<u>\$ 882,071.70</u>	<u>\$ 1,042,975.30</u>	

ADDITIONAL CASH BALANCES:

INVESTMENTS:

		<u>Return</u>
CITIZENS BANK MRA	\$ 5,000.00	0.00%
STAR OHIO	320,951.01	2.54%
STAR PLUS	561,086.02	2.58%
CITIZENS BANK INTEREST CHECKING	228,100.14	1.71%
TOTAL	<u>\$ 1,115,137.17</u>	

**GRAND TOTAL \$ 1,175,819.89**

Interest Earned in FY 2019 = \$ 14,533.88

**Agenda Item  
No. 3**

**PUBLIC COMMENTS ON CURRENT AGENDA ITEMS**



**Agenda Item  
No. 4**

**PRESIDENT'S/EXECUTIVE DIRECTOR'S REPORT**



Agenda Item  
No. 5

**RESOLUTIONS/ACTION ITEMS**







## **NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

### **MEMORANDUM**

**TO:** NOACA Board of Directors

**FROM:** Grace Gallucci, Executive Director

**DATE:** June 7, 2019

**RE:** **Resolution 2019-023: NOACA-ODOT Biennial Agreement 2019**

#### **ACTION REQUESTED**

The Board of Directors is asked to approve Resolution 2019-023, which approves the NOACA-ODOT biennial agreement from State Fiscal Years 2020-2021, which must be in place by July 1, 2019.

The Executive Committee recommended this action.

#### **BACKGROUND/JUSTIFICATION FOR CURRENT ACTION**

As the metropolitan planning organization (MPO) for Northeast Ohio and a subrecipient of federal and state transportation planning funds, NOACA must work with the Ohio Department of Transportation (ODOT) in conducting the metropolitan planning process.

This agreement focuses on interagency coordination regarding various aspects of state and federal metropolitan planning requirements. It has been reviewed by ODOT staff and NOACA staff, and is consistent with previous agreements. Specifically, the agreement addresses:

- The purpose, designation and boundaries of the MPO
- Financial reporting
- NOACA's Overall Work Program (OWP) and required planning activities/products
- Coordination with various transportation-related entities
- Billings, compensation, annual audits and OWP completion reports
- Nondiscrimination and compliance with regulations
- Conduct, ethics, integrity and conflicts of interest
- Restrictions on lobbying

#### **FINANCIAL IMPACT**

The biennial agreement must be in place by June 30, 2019 for planning work beginning July 1, 2019 to be eligible for federal and state funding reimbursement.

#### **CONCLUSION/NEXT STEPS**

With Board approval, the Executive Director will sign this agreement and transmit the document to ODOT officials.

GG/rl/3061b



RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE  
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY

**WHEREAS**, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the Metropolitan Planning Organization (MPO) for the counties of Cuyahoga, Geauga, Lake, Lorain and Medina, and the City of Cleveland; and the areawide water quality management agency for the same region; and

**WHEREAS**, as the metropolitan planning organization for Northeast Ohio, NOACA is responsible for the region's comprehensive, cooperative and continuing (3-C) metropolitan transportation planning process; and

**WHEREAS**, NOACA receives federal and state transportation planning dollars, and is required to work with the Ohio Department of Transportation (ODOT) to advance the transportation planning process; and

**WHEREAS**, NOACA and ODOT have a long history of entering into biennial interagency agreements to cooperate on the transportation planning process; and

**WHEREAS**, an interagency agreement between NOACA and ODOT that addresses various aspects of state and federal metropolitan planning requirements and best practices is required.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Northeast Ohio Areawide Coordinating Agency, consisting of 45 principal officials serving general purpose local governments throughout and within the counties of Cuyahoga, Geauga, Lake, Lorain, and Medina that:

**Section 1.** The attached 2019 NOACA-ODOT interagency agreement is hereby approved.

**Section 2.** The Executive Director is authorized to transmit certified copies of this resolution to appropriate federal, state, and local agencies.

Certified to be a true copy of a Resolution of the  
Governing Board of the Northeast Ohio Areawide  
Coordinating Agency adopted this 14<sup>th</sup> day of June,  
2019.

Secretary: \_\_\_\_\_

Date Signed: \_\_\_\_\_





# OHIO DEPARTMENT OF TRANSPORTATION

## SUBAWARD GRANT AGREEMENT

<b>(1) Pass-Through Entity</b> Ohio Department of Transportation	<b>(2) Subrecipient's Name</b> Northeast Ohio Areawide Coordinating Agency
<b>(3) Federal Awarding Agency</b> Federal Highway Administration (FHWA)	<b>(4) Subrecipient's OAKS ID Number</b> 0000075066
<b>(5) CFDA Program Number &amp; Name</b> 20.205 Highway Planning and Construction	<b>(6) ODOT PID Number</b> Refer to Project Data Sheet
<b>(7) Federal Agreement Number (FAN)</b> Refer to Project Data Sheet	<b>(8) ODOT Agreement Number</b> 32963
<b>(9) FHWA's Federal Authorization Date</b> Refer to Project Data Sheet	<b>(10) Subrecipient's DUNS Number</b> 0777647930000
<b>(11) Research &amp; Development Subaward</b> Not R & D Subaward	<b>(12) Subrecipient's Indirect Cost Rate</b> Refer to Agreement Section XI: COMPENSATION
<b>(13) Subaward Period of Performance Start Date and End Date</b> Refer to Project Data Sheet	
<b>(14) Federal \$ Obligated by this Action by ODOT to the Subrecipient</b> Refer to Project Data Sheet	
<b>(15) Total Federal \$ Obligated to the Subrecipient by ODOT, Including Current Obligation</b> Refer to Project Data Sheet	
<b>(16) Total Federal Award \$ Committed to the Subrecipient by ODOT</b> \$5,241,478	
<b>(17) Federal Subaward Project Description, as Required to be Responsive to FFATA</b> Refer to Agreement Section I: PURPOSE	



# PROJECT DATA SHEET

Subrecipient's Name	Northeast Ohio Areawide Coordinating Agency	ODOT Agreement #	32962	Data Sheet Version Date	5/28/19	Data Sheet Version #	#1
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ODOT PID Number	FHWA FAN Number	Federal Authorization Date	ODOT Project Name	Period of Performance Start Date	Period of Performance End Date	State Prorata Share %	State \$ Obligated This Action	Cumulative State \$ Obligated	Federal Prorata Share %	Federal \$ Obligated This Action	Cumulative Federal \$ Obligated
109386	Pending	Pending	SFY 2020 CPG	7/1/19	6/30/20	10%	\$427,164	\$427,164	80%	\$3,417,315	\$3,417,315
97823	E190593	5/6/19	NOACA 2020 Rideshare Program	7/1/19	6/30/20	N/A	N/A	N/A	100%	\$112,604	\$112,604
97828	E190594	5/6/19	NOACA 2020 Air Quality Program	7/1/19	6/30/20	N/A	N/A	N/A	80% w/TRC	\$231,894	\$231,894
109651	E190582	5/1/19	NOACA 2020 TLCI - Staff	7/1/19	6/30/20	N/A	N/A	N/A	80% w/TRC	\$336,640	\$336,640
109653	E190595	5/6/19	NOACA 2020 Signal Timing Optimization Program	7/1/19	6/30/20	N/A	N/A	N/A	100%	\$531,420	\$531,420
110019	E190586	5/1/19	NOACA 2020 Supplemental Transportation Planning	7/1/19	6/30/20	N/A	N/A	N/A	80% w/TRC	\$567,605	\$567,605
110182	Pending	Pending	2020 Freight Conference Funding Assistance	7/1/19	6/30/20	20%	\$6,000	\$6,000	80%	\$24,000	\$24,000
105807	E180196	6/1/18	NOACA Regional Transit Plan	7/1/19	6/30/20	N/A	N/A	N/A	80% w/TRC	\$20,000	\$20,000
						Totals	\$433,164	\$433,164		\$5,241,478	\$5,241,478

AGREEMENT BETWEEN THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY AND THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION FOR URBAN TRANSPORTATION PLANNING AND TRANSPORTATION PROGRAMS

The Northeast Ohio Areawide Coordinating Agency (**AGENCY**), created pursuant to Sections 307.14 through 307.19 and Section 307.85 Ohio Revised Code, having its principal office at 1299 Superior Avenue, Cleveland, Ohio 44114 as of the \_\_\_\_ day of \_\_\_\_\_, 2019 and the State of Ohio, Department of Transportation (ODOT), having its principal office at 1980 West Broad Street, Columbus, Ohio 43223, as of the \_\_\_\_ day of \_\_\_\_\_, 2019: agree as follows:

SECTION I: PURPOSE

The purpose of this Agreement is to implement 23 United States Code (U.S.C.) §134 and 49 U.S.C. §5303, as may be amended, requiring designation of a Metropolitan Planning Organization (MPO) for the Cleveland, OH and Lorain-Elyria, OH urbanized areas and for such MPO to conduct a continuing, cooperative, and comprehensive urban transportation planning process, including corridor and subarea studies, for the metropolitan area, hereinafter referred to as the "PROCESS". The PROCESS is to result in plans and programs that consider all transportation modes and supports metropolitan community development and social goals. These plans and programs shall lead to the development and operation of an integrated, intermodal transportation system that facilitates the efficient, economic movement of people and goods. It is the intent of the parties hereto that the PROCESS shall be carried forward on a continuing basis.

SECTION II: DEFINITIONS

1. **Catalog of Federal Domestic Assistance (CFDA) number.** §200.10 CFDA number means the number assigned to a Federal program in the CFDA.
2. **CFDA Program Title.** §200.11 CFDA program title means the title of the program under which the Federal award was funded in the CFDA.
3. **Federal Awarding Agency.** §200.37 Federal awarding agency means the Federal agency that provides a Federal award directly to a non-Federal entity.
4. **Federal Award Date.** §200.39 Federal award date means the date when the Federal award is signed by the authorized official of the Federal awarding agency.
5. **Pass-Through Entity.** §200.74 Pass-through entity means a non-Federal entity that provides a subaward to a subrecipient to carry out part of a Federal program.
6. **Period of Performance.** §200.77 Period of performance means the time during which the non-Federal entity may incur new obligations to carry out the work authorized under the Federal award.
7. **Subrecipient.** §200.93 Subrecipient means a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program; but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.



8. Subrecipient's **DUNS Number**. See §200.331(a)(1)(ii) *Subrecipient's unique entity identifier*. The DUNS Number [is] the "unique entity identifier" used to identify a specific commercial, nonprofit, or government entity. Dun & Bradstreet is the designated entity to establish and maintain the DUNS Number, which is required for registration in SAM and used throughout federal procurement, financial assistance, and financial management systems. The subrecipient needs a Data Universal Numbering System (DUNS) number to register the entity in the U.S. Federal government's System for Award Management (SAM). A subrecipient must have an active registration in SAM to do business with the Federal Government.

### SECTION III: MPO DESIGNATION

ODOT, acting on behalf of Ohio's Governor, has designated the Board of Directors of the AGENCY as the Metropolitan Planning Organization for the Cleveland, OH and Lorain-Elyria, OH urbanized areas. The Board of Directors is hereby delegated the authority and responsibility for the direction, coordination, and administration of the PROCESS. Consistent with 23 Code of Federal Regulations (CFR) Part 450.310(d), the Board of Directors shall be comprised of local elected officials and officials of public agencies that administer or operate major modes of transportation in the metropolitan area including representation by providers of public transportation within the "AREA" (as defined in Agreement Section V) and ODOT, as enumerated in an AGENCY PROSPECTUS.

This Board of Directors, as the forum for cooperative transportation decision making, shall be comprised of at least 51% locally elected officials.

The Board of Directors shall be assisted by a Technical Advisory Committee comprised as enumerated in the PROSPECTUS.

### SECTION IV: SUBRECIPIENT DESIGNATION

The AGENCY is hereby designated as the SUBRECIPIENT of the Federal funds awarded by this SUBAWARD GRANT AGREEMENT.

### SECTION V: MPO BOUNDARY

The parties agree the conduct of the PROCESS will be for the area of Cuyahoga, Geauga, Lake, Lorain (with the exception of the incorporated area of the City of Vermilion) and Medina (with the exception of the incorporated area of the City of Rittman) counties, Ohio, including the incorporated municipalities therein, including the incorporated municipalities therein, which is hereinafter referred to as the "AREA", or as may be modified by mutual consent of the signatories to this Agreement. At a minimum, without need for additional written consent of the signatories to this Agreement, the AREA will consist of the Urbanized Area as defined by the U.S. Bureau of the Census and the contiguous geographic area(s) likely to be urbanized within the twenty year forecast period covered by the Transportation Plan (23 CFR Part 450.312(a), except as may be located within the jurisdiction of another Metropolitan Planning Organization. The AGENCY shall prepare an official map of the AREA, for approval by the Governing Board and shall submit such map to ODOT.

### SECTION VI: CARRY FORWARD FUNDING

The parties agree that upon completion of the state fiscal year and WORK PROGRAM any unexpended balance of U.S. DOT (49 U.S.C. Section 5303), Federal Metropolitan Planning Funds (PL), or State

Planning and Research funds (SPR) funds and any associated state matching funds allocated by ODOT may be carried forward into the next state fiscal year. The carry forward funding will remain available for eligible WORK PROGRAM expenses through the second quarter (December 31<sup>st</sup>) of the new state fiscal year. On January 1<sup>st</sup> of each year, the unexpended balance of any prior year U.S. DOT (49 U.S.C. Section 5303), PL, or SPR funds and any associated state matching funds carried forward will lapse. The AGENCY agrees to submit invoices for the eligible expenses financed with the carry forward funding, prior to the January 1<sup>st</sup> deadline, within thirty days of the end of the second quarter of the state fiscal year (approximately January 30<sup>th</sup>).

## SECTION VII: TRANSPORTATION PLANNING PROCESS PRODUCTS AND SERVICES

Annually, the AGENCY shall prepare a WORK PROGRAM and budget describing the planning process and program activities to be performed under this Agreement, with the cost relating to individual work elements and the source of funding thereof. Such WORK PROGRAM and budget shall be approved by the Governing Board, ODOT, and other state and federal agencies as necessary, prior to the first day of July of each fiscal year, in accordance with ODOT's MPO Administrative Manual, as may be modified. The WORK PROGRAM, budget and any updates which can be found at <https://extranet.dot.state.oh.us/divisions/Planning/plan/STIP/default.aspx>, are made a part hereof and incorporated by this reference as if fully rewritten herein.

Specifically, the WORK PROGRAM and budget shall record the AGENCY's progress in developing and keeping current the following items, as further described in 23 CFR Part 450, as may be amended:

1. A PROSPECTUS describing the AGENCY's organizational structure, committee bylaws, and the work to be performed in the conduct of the PROCESS. The PROSPECTUS shall document the interagency agreements and describe the respective agency roles and responsibilities for conducting the PROCESS and transportation related air quality planning.
2. A Transportation Plan, with a 20-year planning horizon, resulting from the PROCESS.
3. A Transportation Improvement Program, with a 4-year regional project listing, resulting from the PROCESS.
4. A Participation Plan that provides reasonable opportunities for interested public and private parties to participate in the PROCESS.
5. A Congestion Management Process in Transportation Management Areas (urbanized areas exceeding 200,000 in population).
6. A periodic reporting of events, developments, and accomplishments resulting from the PROCESS.
7. In cooperation with ODOT, implementation of a performance-based PROCESS to include transportation programming and performance metrics.

## SECTION VIII: COORDINATION

The AGENCY shall secure agreements of cooperation with the county(ies), all incorporated municipalities, and the operators of publicly owned transit services, within the AREA for carrying forward the PROCESS. In the event that there is an unwillingness on the part of any of these entities

to participate in the continuation of the PROCESS, a determination shall be made by the parties hereto as to whether the percentage of the AREA or population affected is such as to negate an effective PROCESS for the entire AREA; such determination will be submitted by ODOT to the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) for concurrence.

The AGENCY will make provisions for operators of other major modes or systems of transportation (airports, maritime ports, rail operators, freight operators) operating within the AREA, to participate in the PROCESS.

In areas designated as nonattainment or maintenance for mobile source pollutants under the Clean Air Act, the AGENCY shall secure agreements with affected state and local agencies describing the respective roles and responsibilities for addressing transportation related air quality planning in the performance of the PROCESS and determining the transportation conformity of the MPO Transportation Plan and Transportation Improvement Program, in accordance with the U.S. EPA Conformity Rule (40 CFR part 93).

The AGENCY acting for itself and as agent for the county(ies) and each of the incorporated municipalities within the AREA shall continue the PROCESS for the AREA in conformance with the approved urban transportation planning PROSPECTUS and WORK PROGRAM describing the continued treatment of the elements of the PROCESS, both of which are made a part hereof, and incorporated by reference as if fully rewritten herein, or as the same may be modified by the AGENCY with the prior approval of the ODOT in accordance with this Agreement.

#### SECTION IX: PERIOD OF PERFORMANCE

The work under this Agreement shall commence on July 1, 2019 and will terminate on June 30, 2021. At that time, ODOT may renew this Agreement on substantially the same terms and conditions, in conformance with applicable Federal and State law.

This Agreement and any renewal thereof is subject to the determination by ODOT that sufficient funds have been appropriated by the Ohio General Assembly to ODOT for the purposes of this Agreement, and to the certification of funds by the Ohio Office of Budget and Management, as required by §126.07 Ohio Revised Code. If ODOT determines that sufficient funds have not been appropriated for the purposes of this contract, or if the Ohio Office of Budget and Management fails to certify the availability of funds, this Agreement or any renewal thereof will terminate on the date that the funding expires without any further obligation by either party.

#### SECTION X: TERMINATION

This Agreement may be terminated by any party to this Agreement upon written notice to all other parties. Any such written notice of termination shall include the terminating party's reasons for electing to terminate this Agreement, and the terminating party shall send such written notice of termination by certified U.S. Mail, return receipt requested, not less than ninety (90) days prior to the effective date of termination.

If it appears to ODOT that the AGENCY has failed to perform any of the requirements of this contract, or that the AGENCY is in violation of a specific provision of this contract, ODOT may provide the AGENCY with notice of the failure to perform or the violation and shall provide a thirty (30) day period to cure any and all defaults under this contract. During the thirty (30) day cure period, the

AGENCY shall incur only those obligations or expenditures which are necessary to enable the AGENCY to continue its operation and achieve compliance as set forth in the notice.

In the event of termination under this Article, the AGENCY shall cease work, terminate all subcontracts relating to such terminated activities, take all necessary or appropriate steps to limit disbursements and minimize costs, and furnish a report describing the status of all work under this contract, including without limitation, results accomplished, conclusions resulting therefrom, and such other matters as ODOT may require.

In the event of termination under this Article, the AGENCY shall be entitled to compensation, upon submission of a proper invoice, for the work performed prior to receipt of notice of termination, less any funds previously paid by or on behalf of ODOT. ODOT shall not be liable for any further claims, and the claims submitted by the AGENCY shall not exceed the total amount of consideration stated in this contract. In the event of suspension or termination, any payments made by ODOT in which services have not been rendered by the AGENCY shall be returned to the State.

#### SECTION XI: COMPENSATION

The approved WORK PROGRAM and budget therein referenced in Section VII shall determine the total compensation to be reimbursed by ODOT to the AGENCY for professional and technical services in accordance with the terms and conditions specified in this Agreement. Prior to the beginning of each fiscal year, the WORK PROGRAM and budget shall be provided to ODOT and other state and federal agencies for their approval. Upon receipt of the WORK PROGRAM and budget, ODOT will determine the degree of eligibility for ODOT participation in the cost of various work elements.

The AGENCY shall obtain and provide the local funds to finance its share of the work contemplated by this Agreement. The AGENCY shall initially pay all costs of the work performed.

Reimbursement for the AGENCY's WORK PROGRAM expenses financed through this Agreement will be based on AGENCY initiated costs incurred invoices. The AGENCY shall submit periodic billings, not more frequently than monthly, to ODOT for reimbursement for those charges which are eligible for reimbursement in accordance with ODOT's MPO Administration Manual, ODOT's MPO Contract Audit Circulars, and 2 CFR Part 200 *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, each as may be modified. Said Standard Operating Procedure and MPO Contract Audit Circulars in 2 CFR Part 200 are made a part hereof and incorporated by this reference as if fully rewritten herein.

Any fringe benefit and/or indirect costs rates charged by the AGENCY during the period of performance of this Agreement must be in compliance with a separately executed FRINGE BENEFIT AND INDIRECT COST RATE AGREEMENT between ODOT and the AGENCY.

ODOT shall process the AGENCY's invoices within 30 days, following submission and shall be obligated to pay the AGENCY that amount determined by ODOT to be eligible for payment. If the invoice submitted to ODOT contains a defect or impropriety, ODOT shall send written notification to the AGENCY within fifteen days after receipt of the invoice. The notice shall contain a description of the defect or impropriety and any additional information necessary to correct the defect or impropriety. If ODOT sends such written notification to the AGENCY, the required payment date shall be thirty days after ODOT receives a proper invoice.

ODOT shall initially pay all costs of the work performed which are incurred by ODOT and may, owing to the multi-funding sources, directly invoice the AGENCY for the cost of services provided by ODOT for expenses within the approved WORK PROGRAM, in accordance with the terms and conditions specified in this Agreement.

In no instance shall reimbursement payments for the cost of the work to be performed exceed the maximum cost shown in the approved WORK PROGRAM and budget without prior written approval of ODOT. Any expenditure in excess of the budget, without prior written approval from ODOT, will be the exclusive responsibility of the AGENCY.

No expenditure shall be included in the cost of the work performed and no part of any funds reimbursed to the AGENCY shall be used by the AGENCY for expenditures or charges that are (1) contrary to the provisions of this Agreement, (2) not directly related to the work performed, (3) incurred without the consent of ODOT, or (4) after written notice of the suspension or termination of any or all of the AGENCY's obligations under this Agreement.

In the event that funding generally made available to ODOT by the U.S. DOT is limited either in scope or magnitude, ODOT reserves the right to mutually negotiate with the AGENCY a revision to this Agreement as an alternative to termination.

## SECTION XII: AUDIT

The AGENCY shall have an independent financial statement audit performed on an annual basis in accordance with 31 U.S.C. Chapter 75, the Single Audit Act of 1984 (with amendment in 1996) and 2 CFR Part 200 *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* and ODOT's MPO Contract Audit Circulars, each as may be modified, and any other applicable regulation. Completion or termination of this Agreement shall not alter this obligation.

## SECTION XIII: INSPECTION OF WORK

As often as deemed necessary by ODOT, or U.S. DOT, the AGENCY shall provide ODOT, or U.S. DOT, or both, or any of their duly authorized representatives, upon reasonable notice, proper facilities for the review, inspection, and programmatic audits of the work performed under this Agreement and any records in support of the work performed. This will include provision for office space for ODOT's representative. The AGENCY shall include in all its subcontracts under this Agreement a provision that ODOT, U.S. DOT, or any of their duly authorized representatives, will have full access to and the right to examine any pertinent books, documents, papers, and records of any contractor or consultant involving transactions related to this Agreement for three years from the final payment under this Agreement.

## SECTION XIV: PERSONNEL

The AGENCY agrees to establish a Transportation Section and agrees that all services required in the approved WORK PROGRAM will be performed by the AGENCY or by its contractors or consultants. The AGENCY represents that it has, or will secure, all personnel required to perform the services under this Agreement. The AGENCY shall submit a listing of such personnel, salary ranges, and person-hours allocated to each work element in the approved WORK PROGRAM and budget to ODOT. None of the AGENCY's personnel, nor any of its contractors or consultants may be current employees of ODOT.

## SECTION XV: REPORTS, INFORMATION, AND RIGHTS IN DATA

The AGENCY's progress in completing the WORK PROGRAM will be monitored through annual AGENCY progress reports. Each progress report shall include a narrative description and financial expenditure summary for each work element in the approved WORK PROGRAM and budget. ODOT and the U.S. DOT will review the progress reports to assure the AGENCY is making satisfactory progress toward meeting the WORK PROGRAM commitments to justify reimbursement payments. If the progress reports demonstrate the AGENCY is not satisfactorily advancing a WORK PROGRAM product or activity, ODOT will notify the AGENCY in writing and work with the AGENCY to identify corrective actions. The AGENCY will have one month from the date of ODOT's written notification to begin good faith efforts to correct the deficiency. Whenever ODOT and the AGENCY are unable to agree on corrective actions, and the situation is such, in the opinion of ODOT, that it indicates there has been gross malfeasance, misfeasance, or nonfeasance by the AGENCY, ODOT may withhold funds until the AGENCY takes corrective actions deemed acceptable to ODOT.

Publication of reports is limited to those shown in the approved WORK PROGRAM unless otherwise authorized by ODOT or the U.S. DOT and only after satisfactory resolution of all comments made by these agencies. Acknowledgment of the cooperative effort of appropriate parties shall be made in each report; for example, "Prepared in cooperation with the U.S. Department of Transportation's Federal Highway Administration and Federal Transit Administration, the Ohio Department of Transportation, and local communities." A disclaimer statement, where appropriate and requested by ODOT, shall also be included; for example, "The contents of this report reflect the views of the AGENCY/author, which is responsible for the facts and accuracy of the data presented herein. The contents do not necessarily reflect the official view and policies of ODOT and/or the U.S. DOT. This report does not constitute a standard, specification, or regulation."

The foregoing limitations are not applicable to dissemination of data necessary to perform a service function of the AGENCY. Such dissemination of data shall be made in accordance with the AGENCY's established policy contained in the approved WORK PROGRAM.

The AGENCY shall retain the copyright for all documents, data, materials, information, processes, studies, reports, surveys, proposals, plans, codes, scientific information, technological information, regulations, maps, equipment, charts, schedules, photographs, exhibits, software, software source code, documentation, and other materials and property that are prepared, developed, or created under or in connection with this Agreement. The AGENCY agrees to grant to ODOT and the U.S. DOT, a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, disclose, distribute, or otherwise use, and to authorize others to use, for State or Federal Government purposes: (a) the copyright in any work developed under this Agreement; and (b) any rights of copyright to which the AGENCY purchases ownership for this Agreement.

The patent rights provisions of 35 U.S.C Section 1 et seq., and CFR Title 37 regarding rights to inventions are made a part hereof and incorporated by this reference as if fully rewritten herein.

## SECTION XVI: NON-DISCRIMINATION

To effectuate compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d et seq.) as amended, the following notice to the AGENCY regarding federal aid recipients applies.

During the performance of this Agreement, the AGENCY for itself, its assignees and successors in interest agrees as follows:

1. AGENCY will ensure that applicants are hired and that employees are treated during employment without regard to their race, religion, color, sex (including pregnancy, gender identification and sexual orientation), national origin (ancestry), disability, genetic information, age (40 years or older), sexual orientation, or military status (past, present, or future). Such action shall include, but not be limited to, the following: Employment, Upgrading, Demotion, or Transfer; Recruitment or Recruitment Advertising; Layoff or Termination; Rates of Pay or other forms of Compensation; and Selection for Training including Apprenticeship.
2. AGENCY agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause. AGENCY will, in all solicitations or advertisements for employees placed by or on behalf of AGENCY, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, sex (including pregnancy, gender identification and sexual orientation), national origin (ancestry), disability, genetic information, age (40-years or older), sexual orientation, or military status (past, present, or future).

AGENCY agrees to fully comply with Title VI of the Civil Rights Act of 1964, 42 USC Sec 2000. AGENCY shall not discriminate on the basis of race, color, or national origin in its programs or activities. The Director of Transportation may monitor the AGENCY's compliance with Title VI.

3. Compliance with Regulations: The AGENCY (hereinafter includes consultants) will comply with the regulations relative to nondiscrimination in Federally-assisted programs of the U.S. DOT, 49 CFR Part 21, as amended, (hereinafter referred to as "Regulations"), which are herein incorporated by reference and made a part of this Agreement.
4. Nondiscrimination: The AGENCY, with regard to the work performed by it after the execution of this Agreement, will not discriminate on the grounds of race, color, national origin, sex (including pregnancy, gender identification and sexual orientation), age (40 years or older), disability, low-income status, or limited English proficiency in the selection and retention of contractors and consultants, including in the procurement of materials and leases of equipment. The AGENCY will not participate either directly or indirectly in the discrimination prohibited by 49 CFR 21.5 including employment practices when the contract covers a program set forth in Appendix B to Part 21 of the Regulations.
5. Solicitations for Contracts, including Procurement of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the AGENCY for work to be performed under a contract, including procurement of materials or equipment, each potential contractor or supplier will be notified by the AGENCY of the AGENCY's obligations under this Agreement and the Regulations relative to nondiscrimination on the grounds of race, color, national origin, sex (including pregnancy, gender identification and sexual orientation), age (40-years or older), disability, low-income status, or limited English proficiency.
6. Information and Reports: The AGENCY will provide all information and reports required by the Regulations or directives issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by ODOT, FHWA, or FTA to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of the AGENCY is in the exclusive possession of

another who fails or refuses to furnish this information, the AGENCY will so certify to ODOT, FHWA or FTA as appropriate, and will set forth what efforts it has made to obtain the information.

7. Sanctions for Noncompliance: In the event of the AGENCY's noncompliance with the nondiscrimination provisions of this Agreement, ODOT will impose such Agreement sanctions as ODOT, FHWA, or FTA may determine to be appropriate, including, but not limited to:
  - a. withholding of payments to the AGENCY under the Agreement until the AGENCY complies, and/or
  - b. cancellation, termination, or suspension of the Agreement, in whole or in part.
8. Incorporation of Provisions: The AGENCY will include the provisions of paragraphs one through nine in every contract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The AGENCY will take such action with respect to any contracts or procurement as ODOT, FHWA, or FTA may direct as a means of enforcing such provisions including sanctions for noncompliance; provided, however, that, in the event the AGENCY becomes involved in, or is threatened with, litigation with a contractor, consultant, or supplier as a result of such direction, the AGENCY may request ODOT to enter into such litigation to protect the interests of ODOT, and, in addition, the AGENCY may request the United States to enter into such litigation to protect the interest of the United States.
9. During the performance of this contract, the AGENCY, for itself, its assignees, and successors in interest (hereinafter referred to as the "AGENCY", which includes consultants) agrees to comply with the following non-discrimination statutes and authorities, including but not limited to:

**Pertinent Non-Discrimination Authorities:**

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252) (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. § 4601) (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-Aid programs and projects)
- Federal-Aid Highway Act of 1973 (23 U.S.C. § 324 *et seq.*) (prohibits discrimination on the basis of sex)
- Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794 *et seq.*), as amended (prohibits discrimination on the basis of disability) and 49 CFR Part 27
- The Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101 *et seq.*) (prohibits discrimination on the basis of age)
- Airport and Airway Improvement Act of 1982 (49 U.S.C. § 471, Section 47123), as amended (prohibits discrimination based on race, creed, color, national origin, or sex)
- The Civil Rights Restoration Act of 1987 (PL 100-209) (broadened the scope, coverage, and applicability of Title VI of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of Federal-Aid recipients, sub-recipients, and contractors, whether such programs or activities are Federally funded or not)



- Titles II and III of the Americans with Disabilities Act (42 U.S.C. §§ 12131-12189), as implemented by Department of Transportation regulations at 49 CFR parts 37 and 38 (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities)
- The Federal Aviation Administration's Non-Discrimination Statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex)
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations)
- Executive Order 13166, Improving Access to Services for People with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100)
- Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended (prohibits discrimination in the sale, rental, and financing of dwellings on the basis of race, color, religion, sex, national origin, disability, or familial status (presence of child under the age of 18 and pregnant women))
- Title IX of the Education Amendments Act of 1972, as amended (20 U.S.C. 1681 *et seq.*) (prohibits discrimination on the basis of sex in education programs or activities)
- Uniformed Services Employment and Reemployment Rights Act (USERRA) (38 U.S.C. 4301-4333) (prohibits discrimination on the basis of present, past or future military service).
- Genetic Information Nondiscrimination Act (GINA) (42 U.S.C. 2000 ff)

## SECTION XVII: DISADVANTAGED BUSINESS ENTERPRISE

It is the policy of the AGENCY that disadvantaged businesses, as defined by 49 CFR, Part 26, shall have an opportunity to participate in the performance of MPO contracts in a nondiscriminatory environment. The objectives of the Disadvantaged Business Enterprise (DBE) Program are to ensure nondiscrimination in the award and administration of contracts, ensure firms fully meet eligibility standards, help remove barriers to participation, create a level playing field, assist in development of a firm so it can compete successfully outside of the program, provide flexibility, and ensure narrow tailoring of the program.

The AGENCY and its consultants shall take all necessary and reasonable steps to ensure that disadvantaged businesses have an opportunity to compete for and perform the contract work of the AGENCY in a nondiscriminatory environment.

AGENCY agrees not to discriminate on the basis of race, color, national origin, or sex (including pregnancy, gender identification and sexual orientation) in the performance of this Agreement. AGENCY agrees to carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. AGENCY understands that failure to carry out these requirements is a material breach of this Agreement, which may result in the termination of this Agreement or such other remedy as the Ohio Department of Transportation deems appropriate, which may include, but is not limited to: (1) Withholding monthly progress payments; (2) Assessing sanctions; (3) Liquidated damages; and/or, (4) Disqualifying the AGENCY from future bidding as non-responsible.

#### SECTION XVIII: PROHIBITED INTEREST

No member, officer, or employee of ODOT shall have any personal interest, direct or indirect, in this Agreement or the proceeds thereof.

No personnel of AGENCY who exercises any functions or responsibilities in connection with the review or approval of the understanding or carrying out of any such work, shall, prior to the completion of said work, voluntarily acquire any personal interest, direct or indirect, which is incompatible or in conflict with the discharge and fulfillment of his or her functions and responsibilities with respect to the carrying out of said work.

Any such person who acquires an incompatible or conflicting personal interest, on or after the effective date of this contract, or who involuntarily acquires any such incompatible or conflicting personal interest, shall immediately disclose his or her interest to ODOT in writing. Thereafter, he or she shall not participate in any action affecting the work under this contract, unless the State shall determine that, in the light of the personal interest disclosed, his or her participation in any such action would not be contrary to the public interest.

#### SECTION XIX: INTEREST OF MEMBERS OF CONGRESS

No member of the Congress of the United States shall be admitted to any share or part of this Agreement or to any benefits arising therefrom.

#### SECTION XX: DRUG-FREE WORKPLACE

The AGENCY agrees to comply with all applicable state and federal laws regarding drug-free workplace. The AGENCY shall make a good faith effort to ensure that all AGENCY employees, while working, will not purchase, transfer, use or possess illegal drugs or alcohol or abuse prescription drugs in any way.

#### SECTION XXI: CONDUCT, ETHICS AND INTEGRITY

The AGENCY agrees that they are currently in compliance and will continue to adhere to the requirements of Ohio Ethics law as provided by Section 102.03 and 102.04 of the Ohio Revised Code.

Further, the AGENCY agrees, by its signature hereto, that to the best of its knowledge, information, and belief, that it will not engage or otherwise employ or utilize or award contracts to contractors or consultants that, or have principals who:

1. Are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
2. Within a three year period immediately preceding the date on which this Agreement was executed, have been convicted of or had a civil judgment against them for commission of fraud or a felony offense in connection with obtaining, attempting to obtain, or performing a public transaction or contract under public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property;

3. Are presently indicted for or otherwise criminally or civilly charged by a government entity with commission of any felony; and
4. Within a three-year period immediately preceding the date on which this Agreement was executed, have had one or more public transactions terminated for cause or default.

The AGENCY certifies or affirms the truthfulness and accuracy of the contents of the statements submitted by this certification and understands the provisions of 31 U.S.C. Sections 3801 et seq., are applicable thereto.

#### SECTION XXII: RESTRICTIONS ON LOBBYING

The AGENCY agrees to comply with the provisions of 31 U.S.C. Section 1352, which prohibit the use of federal funds to lobby any official or employee of any federal agency, or member or employee of Congress; and to disclose any lobbying activities in connection with federal funds.

The AGENCY certifies by its signature hereto that:

1. No funds appropriated by the United States have been paid or will be paid by or on behalf of the AGENCY to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with awarding any federal contract, making any federal grant, making any federal loan, entering into of any cooperative agreement, and extending, continuing, renewing, amending or modifying any federal contract, grant, loan or cooperative agreement.
2. If funds, other than those appropriated by the United States have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan or cooperative agreement, the AGENCY shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The AGENCY shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance is placed when this transaction was made or entered into. The AGENCY's certification is a prerequisite imposed by 31 U.S.C. Section 1352, for making or entering into this Agreement. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

#### SECTION XXIII: OHIO ELECTIONS LAW

The AGENCY affirms that, as applicable to it, no party listed in Division (I) or (J) of Section 3517.13 of the Revised Code or spouse of such party has made, as an individual, within the two previous calendar years, one or more contributions totaling in excess of \$1,000.00 to the Governor or to his campaign committees.

#### SECTION XXIV: TRADE

Pursuant to Division (B) of Section 9.76 of the Revised Code, AGENCY warrants that AGENCY is not boycotting any jurisdiction with whom the State of Ohio can enjoy open trade, including Israel, and will not do so during the term of this Agreement.

#### SECTION XXV: INDEMNIFICATION/HOLD HARMLESS

To the extent allowed by law, AGENCY shall indemnify and hold harmless ODOT for any and all claims, damages, lawsuits, costs, judgments, expenses and any other liabilities which arise as a result of the services performed by the AGENCY, or its employees or agents which is in any way connected with or based upon the services rendered in performing this Agreement.

#### SECTION XXVI: STATE AUDIT FINDINGS

AGENCY affirmatively represents to ODOT that it is not subject to a Finding for Recovery under R.C. 9.24, or that it has taken the appropriate remedial steps required under R.C. 9.24 or otherwise qualifies under that section. AGENCY agrees that if this representation is deemed to be false, the Agreement shall be void *ab initio* as between the parties to this Agreement, and any funds paid by ODOT hereunder shall be immediately repaid to ODOT, or an action for recovery may be immediately commenced by ODOT for recovery of said funds.

#### SECTION XXVII: DEBARMENT

AGENCY represents that it is not debarred from consideration for contract awards by the Director of the Department of Administrative Services, pursuant to either R.C. 5513.06 or R.C. 125.25. If this representation is found to be false, this Agreement is void *ab initio* and AGENCY shall immediately repay to ODOT any funds paid under this Agreement.

#### SECTION XXVIII: DISPUTES

The AGENCY agrees that all disputes concerning questions of fact in connection with the work and not otherwise disposed of by the specific terms of this Agreement or by mutual agreement among the parties hereto shall be resolved as follows:

The AGENCY shall notify ODOT in writing within 60-days following any determination by ODOT which in the estimation of the AGENCY is in material conflict with facts concerning the subject matter. In such notification, the AGENCY shall present evidentiary matters as may support the AGENCY's position and shall request a review of said previous determination. Within a reasonable period of time, ODOT shall cause the circumstances and facts be reappraised for the purposes of redetermination.

The AGENCY hereby agrees that ODOT will decide such questions which may arise including, for example, the quality or acceptability of materials furnished and work performed, the rate of progress of the work, the acceptable fulfillment of the Agreement on the part of the AGENCY, matters concerning compensation, and all other matters in dispute relating to facts in connection with this Agreement and the services or work to be performed thereunder.

## SECTION XXIX: COMPLIANCE WITH LAWS AND PERMITS

The AGENCY shall give all notices and comply with all existing and future federal, state and municipal laws, ordinances, rules regulations, and orders of any public authority bearing on the performance of the Agreement, including but not limited to, the laws referred to in these provisions of the Agreement and the other Agreement documents. If the Agreement documents are at variance therewith in any respect, any necessary changes shall be incorporated by appropriate modification. Upon request, the AGENCY shall furnish to ODOT certificates of compliance with all such laws, orders, and regulations. AGENCY accepts full responsibility for payment of all taxes including without limitation, unemployment compensation insurance premiums, all income tax deductions, social security deductions, and any and all other taxes or payroll deductions required for all employees engaged by the AGENCY in the performance of the work authorized by this Agreement. ODOT shall not be liable for any taxes under this Agreement.

## SECTION XXX: COUNTERPARTS

This Agreement may be executed in more than one (1) counterpart, and each counterpart shall be deemed and considered an original instrument for any and all purposes.

## SECTION XXXI: CHANGE OR MODIFICATION

This Agreement constitutes the entire agreement between the parties, and any changes or modifications to this contract shall be made and agreed to in writing.

## SECTION XXXII: GOVERNING LAW/SEVERABILITY

This Agreement and any claims arising out of this Agreement shall be governed by the laws of the United States and the State of Ohio. Any provision of this Agreement prohibited by the law of Ohio shall be deemed void and of no effect. Any litigation arising out of or relating in any way to this Contract or the performance thereunder shall be brought only in the courts of Ohio, and the AGENCY hereby irrevocably consents to such jurisdiction. To the extent that ODOT is a party to any litigation arising out of or relating in any way to this Contract or the performance thereunder, such an action shall be brought only in a court of competent jurisdiction in Franklin County, Ohio.

If any provision of this Agreement or application of any such provision shall be held by a court of competent jurisdiction to be contrary to law, the remaining provisions shall remain in full force and effect.

## SECTION XXXIII: SIGNATURES

Any person executing this Agreement in a representative capacity hereby represents that he/she has been duly authorized by his/her principal to execute this Agreement on such principal's behalf.

Any party hereto may deliver a copy of its counterpart signature page to this Agreement via fax or e-mail. Each party hereto shall be entitled to rely upon a facsimile signature of any other party delivered in such a manner as if such signature were an original.

The parties hereto have caused this Agreement to be duly executed as of the day and year last written below.

<b>NORTHEAST OHIO AREAWIDE COORDINATING AGENCY</b>	<b>STATE OF OHIO OHIO DEPARTMENT OF TRANSPORTATION</b>
By:	By:
Grace Gallucci Executive Director	Jack Marchbanks, Ph.D. Director
Date:	Date:



## **NORTHEAST OHIO AREA WIDE COORDINATING AGENCY**

### **MEMORANDUM**

**TO:** NOACA Board of Directors

**FROM:** Grace Gallucci, Executive Director

**DATE:** June 7, 2019

**RE:** **Resolution 2019-024: NOACA Geauga County Amish Safety BUILD Project**

#### **ACTION REQUESTED**

The Board of Directors is asked to approve Resolution 2019-024, which approves \$1,500,000 of NOACA Transportation Alternatives Program (TAP) funding for the NOACA Geauga County Amish Safety BUILD project.

The Executive Committee recommended this action to best meet the grant deadlines associated with the federal Better Utilizing Investments to Leverage Development (BUILD) program.

#### **BACKGROUND/JUSTIFICATION FOR CURRENT ACTION**

The Geauga County Amish Safety project was developed as a result of a strategic safety plan completed in 2015 in partnership between Geauga County, ODOT District 12 and NOACA. The study identified projects needed on Geauga County roadways to improve safety for motorists, Amish buggies, and pedestrians. In 2017, the identified projects were adopted into the NOACA AIM Forward 2040 Long-range Transportation Plan.

In April 2018, NOACA partnered with the Geauga County Engineer to submit an application for a Geauga County Amish Safety project for federal BUILD program funding consideration. The project includes widening roadway shoulders for the construction of buggy lanes and pedestrian facilities; warning and detection signal systems; and signage safety improvements. To enable the project to best compete for funding under the program's guidelines and criteria, staff included a commitment of \$1,500,000 of Transportation Alternatives Program (TAP) funding to match a request of \$9,651,000 of BUILD program funding in the overall project financing plan.

In December 2018, NOACA was notified by US DOT that the project was selected for BUILD program funding for the full \$9,651,000 request amount. Since that time, staff has worked with the Geauga County Engineer, ODOT and FHWA to determine an acceptable approach for project administration in accordance with the agencies' oversight and monitoring requirements. As part of the BUILD program requirements, funds awarded to the project must be obligated for construction phase activities no later than September 30, 2020 or the grant funding expires. The project benefits NOACA identified Environmental Justice populations in Geauga County. Consistent with the Board approved Environmental Justice policy, the \$1,500,000 of NOACA funding match to the project was committed for allowable preliminary engineering and detailed design activities. These activities must begin as soon as possible to allow for the necessary time for completion prior to the stated deadline.

As such, staff planned to include a funding recommendation for the project in conjunction with the development of SFY 2021-2024 NOACA TIP funding recommendations, originally planned for Planning and Programming Committee review in April 2019 and Board approval in June 2019. That item is being delayed by one quarter, resulting from the delay of the Statewide Transportation Improvement Program (STIP) due to the uncertainty of future federal funding, with an anticipated action by the Board in September 2019. As a result, a commitment of funding for Geauga County Amish Safety BUILD project request would be delayed, causing significant impact to the project development and design schedule.

Therefore, to allow for the necessary time needed to complete project development and design activities prior to the stated BUILD program deadline, the Executive Committee was requested to add this project funding recommendation to the Board agenda for action in June 2019.

#### **FINANCIAL IMPACT**

The request would commit \$1,500,000 of NOACA TAP funding to the NOACA Geauga County Amish Safety project. NOACA STBG funding would be utilized in SFY 2019 and SFY 2020 to finance the request, which would be made whole through the TAP program in SFY 2021 for new 2021-2024 TIP projects. Therefore, there is no impact to existing TIP projects.

#### **CONCLUSION/NEXT STEPS**

With Board approval, the NOACA TIP will be amended to incorporate the recommended project funding and project development and design activities will be advanced.

GG/rl/3062b



**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE  
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

**WHEREAS**, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the Metropolitan Planning Organization (MPO) for the counties of Cuyahoga, Geauga, Lake, Lorain and Medina, and the City of Cleveland; and the areawide water quality management agency for the same region; and

**WHEREAS**, the Geauga County Amish Safety project was developed as a result of a strategic safety plan completed in 2015 in partnership between Geauga County, ODOT District 12 and NOACA; and

**WHEREAS**, projects identified through the study to improve safety for motorists, Amish buggies, and pedestrians were adopted into the NOACA AIM Forward 2040 Long-range Transportation Plan; and

**WHEREAS**, in April 2018, NOACA partnered with the Geauga County Engineer to submit an application for a Geauga County Amish Safety project for federal BUILD program funding consideration, including widened roadway shoulders for the construction of buggy lanes and pedestrian facilities; warning and detection signal systems; and signage safety improvements; and

**WHEREAS**, to enable the project to best compete for funding under the program's guidelines and criteria, staff included a commitment of \$1,500,000 of Transportation Alternatives Program (TAP) funding to match a request of \$9,651,000 of BUILD program funding in the overall project financing plan; and

**WHEREAS**, in December 2018, NOACA was notified by US DOT that the project was selected for BUILD program funding for the full \$9,651,000 request amount; and

**WHEREAS**, As part of the BUILD program requirements, funds awarded to the project must be obligated for construction phase activities no later than September 30, 2020 or the grant funding expires; and

**WHEREAS**, the project benefits NOACA identified Environmental Justice populations in Geauga County; and

**WHEREAS**, consistent with the Board approved Environmental Justice policy, the \$1,500,000 of NOACA funding match to the project was committed for allowable preliminary engineering and detailed design activities; and

**WHEREAS**, preliminary engineering and detailed design activities must begin as soon as possible to allow for the necessary time for completion prior to the stated deadline; and

**WHEREAS**, staff planned to include a funding recommendation for the project in conjunction with the development of SFY 2021-2024 NOACA TIP funding recommendations, originally planned for Planning and Programming Committee review in April 2019 and Board approval in June 2019; and

**WHEREAS**, TIP development is being delayed by one quarter, resulting from the delay of the Statewide Transportation Improvement Program (STIP) due to the uncertainty of future federal funding; and

**WHEREAS**, as a result, a commitment of funding for Geauga County Amish Safety BUILD project request would be delayed, causing significant impact to the project engineering and detailed design schedule; and

**RESOLUTION NO. 2019-024  
(NOACA Geauga County  
Amish Safety BUILD Project)**

**WHEREAS**, approval of funding to the project is requested to allow for the necessary time needed to complete project development and design activities prior to the stated BUILD program deadline.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Northeast Ohio Areawide Coordinating Agency, consisting of 45 principal officials serving general purpose local governments throughout and within the counties of Cuyahoga, Geauga, Lake, Lorain, and Medina that:

**Section 1.** \$1.5 million of NOACA Transportation Alternatives Program funds are approved for the NOACA Geauga County Amish Safety

**Section 2.** The 2018-2021 Transportation Improvement Program (TIP) will be amended to reflect the BUILD program funding of \$9,651,000 for construction activities and NOACA TAP program funding of \$1.5 million for preliminary engineering and detailed design activities.

**Section 3.** The Executive Director is authorized to transmit certified copies of this resolution to appropriate federal, state, and local agencies.

Certified to be a true copy of a Resolution of the  
Governing Board of the Northeast Ohio Areawide  
Coordinating Agency adopted this 14<sup>th</sup> day of June,  
2019.

Secretary: \_\_\_\_\_

Date Signed: \_\_\_\_\_



## **NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

### **MEMORANDUM**

**TO:** NOACA Board of Directors

**FROM:** Grace Gallucci, Executive Director

**DATE:** June 7, 2019

**RE:** **Resolution 2019-025: NOACA Board Support for Increased Funding for Public Transportation in Ohio**

#### **ACTION REQUESTED**

The Board of Directors is asked to consider a resolution to be presented to members of the Ohio General Assembly and the Governor of Ohio, requesting that they uphold their previous commitment to fund transit at \$70 million annually in the SFY 2020-2021 state Operating Budget (House Bill 166), which is currently pending before the Ohio Senate.

The External Affairs Committee recommended this action.

#### **BACKGROUND/JUSTIFICATION FOR CURRENT ACTION**

At the March 8, 2019, Board of Directors meeting, the Board adopted a resolution supporting an increase to the gas tax with the recommendation to the Ohio General Assembly to also increase funding for public transportation to at least the \$120 million goal contained in the 2015 ODOT Transit Needs Study, representative of the benefit that transit provides to the entire transportation system. The subsequently enacted SFY 2020-2021 Transportation Budget committed to funding public transportation at \$70 million annually, but deferred the actual funding action instead to the upcoming state Operating Budget, due to be finalized by June 30.

This resolution requests that members of the Ohio General Assembly and the Governor of Ohio ensure that the previous commitment to fund public transportation at \$70 million annually is approved in the Operating Budget, and continue to explore additional resources for public transit in order to fulfill the recommendations of the 2015 ODOT Transit Needs Study.

#### **FINANCIAL IMPACT**

There is no financial impact.

#### **CONCLUSION/NEXT STEPS**

NOACA staff will send the Board resolution to the Governor of Ohio and members of the Ohio General Assembly.

GG/bb/3063b



**RESOLUTION NO. 2019-025 (NOACA  
Board Support for Increased Funding for  
Public Transportation in Ohio)**

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE  
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

**WHEREAS**, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the Metropolitan Planning Organization (MPO) for the counties of Cuyahoga, Geauga, Lake, Lorain and Medina, and the City of Cleveland; and the areawide water quality management agency for the same region; and

**WHEREAS**, the NOACA Board adopted a resolution at their March 8, 2019, Board of Directors supporting an increase to the motor fuel user fee with the recommendation to the Ohio General Assembly to also increase funding for public transportation to at least the \$120 million goal contained in the 2015 Ohio Department of Transportation (ODOT) Transit Needs Study, representative of the benefit that transit provides to the entire transportation system; and

**WHEREAS**, the NOACA Board's March 8 resolution also supports the continued exploration of additional resources for public transit in Ohio;

**WHEREAS**, the State Fiscal Year (SFY) 2020-2021 Ohio Transportation Budget, enacted on April 3, 2019, committed to funding public transportation at \$70 million annually, but deferred the actual funding action to the upcoming state Operating Budget, due to be finalized by June 30;

**WHEREAS**, NOACA's External Affairs Committee requested that the NOACA Board adopt a resolution requesting that members of the Ohio General Assembly and the Governor of Ohio ensure that the previous commitment to fund public transportation at \$70 million annually is approved in the Operating Budget, and continue to explore additional resources for public transit in order to fulfill the recommendations of the 2015 ODOT Transit Needs Study;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Northeast Ohio Areawide Coordinating Agency, consisting of 45 principal officials serving general purpose local governments throughout and within the counties of Cuyahoga, Geauga, Lake, Lorain, and Medina that:

**Section 1.** The NOACA Board requests that members of the Ohio General Assembly and the Governor of Ohio ensure that the previous commitment to fund public transportation at \$70 annually is approved in the SFY 2020-2021 Operating Budget, and continue to explore additional resources for public transit in order to fulfill the recommendations of the 2015 ODOT Transit Needs Study.

**Section 2.** The Executive Director is authorized to transmit certified copies of this resolution to members of the legislature, and appropriate federal, state, and local agencies.

**RESOLUTION NO. 2019-025 (NOACA  
Board Support for Increased Funding for  
Public Transportation in Ohio)**

Certified to be a true copy of a Resolution of  
the Board of Directors of the Northeast Ohio  
Areawide Coordinating Agency adopted this  
14 day of June, 2019.

Secretary: \_\_\_\_\_

Date Signed: \_\_\_\_\_



## **NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

### **MEMORANDUM**

**TO:** NOACA Board of Directors

**FROM:** Grace Gallucci, Executive Director

**DATE:** June 7, 2019

**RE:** **Resolution No: 2019-026: SFY 2020 Overall Work Program and Budget**

#### **ACTION REQUESTED**

The Board of Directors is asked to approve Resolution 2019-026, which approves NOACA's State Fiscal Year (SFY) 2020 Overall Work Program and Budget.

The Finance and Audit Committee recommends this action.

#### **BACKGROUND/JUSTIFICATION FOR CURRENT ACTION**

The Overall Work Program (OWP) is developed annually by NOACA as the metropolitan planning organization (MPO) for the Cleveland metropolitan region. It is a federally required document that serves as a guide for transportation and environmental planning work to be conducted over the course of each fiscal year beginning on July 1st. Included in the OWP are detailed descriptions of transportation and environmental planning tasks and a summary of the budget used to fund these planning activities. NOACA's 2020 fiscal year begins on July 1, 2019 and ends on June 30, 2020.

The purpose of this memo is to provide the Board of Directors with an overview and highlights of the SFY 2020 OWP:

#### **Transportation Systems Planning**

- Continue to update the regional bicycle plan, including the addition of pedestrian planning
- Administer the Transportation for Livable Communities Initiative grant award process and assist with the development and administration of ongoing TLCI studies and implementation projects
- Develop a Geauga County Bike Map and maintain an updated inventory of existing and planned facilities
- Continue supporting local agencies with demonstrating the potential within existing infrastructure through temporary projects using the Street Supplies program
- Explore best practices in bicycle and pedestrian planning, translate into a Northeast Ohio context, and provide member communities with resources and training opportunities
- Administer the bicycle and pedestrian count program including manual and permanent counting programs through data gathering, analysis, and reporting for integrating into the planning process
- Administer the 5310 Enhanced Mobility for Seniors and Individuals with Disabilities Program

## **Strategic and Long Range Planning**

- Develop elements of the next long-range transportation plan with a 2045 horizon year
- Continue to develop a Hyperloop Feasibility Study in coordination with private partner
- Identify the region's current freight conditions, identify trends, and encourage efficient freight mobility
- Continue to develop and manage NOACA performance measures and targets
- Develop a freight hub study and technical reports
- Continue to develop a Regional Strategic Transit Plan
- Integrate and coordinate transit planning with the overall transportation planning process

## **Environmental Planning**

- Prepare and disseminate air quality public forecasts, alerts and messaging
- Develop annual air quality trends report
- Implement air quality public education and outreach strategy
- Administer Gohio Commute, NOACA's transportation demand management (TDM)/rideshare program
- Finalize Northeast Ohio's Water Quality Management Plan (208 Plan)
- Update Facility Planning Area (FPA) boundaries and prescriptions for wastewater treatment

## **Transportation Modeling and Data Integration**

- Develop a regional electric vehicle charging station location plan
- Calibrate/validate, operate and maintain the NOACA's trip-based and activity-based travel forecasting models
- Provide technical assistance and analysis in response to internal and external requests utilizing NOACA's trip-based and activity-based travel forecasting models
- Perform sub-regional transportation analyses using the available simulation software
- Update the functional classification system, as needed
- Evaluate and update the implementation of the 2020 congestion management plan
- Administer and continue to update the transportation asset management program and develop the Community Pavement Reports
- Collect the 2020 traffic counts and update the NOACA traffic count database

## **Safety and Operations**

- Update and maintain NOACA region's ITS architecture to support future investments in technology to allow travelers to make better decisions with respect to choice of mode and route
- Analyze regional crash data to identify priorities for safety investment, with emphasis on targeted, lower-cost improvements on the local road network to mitigate fatalities and serious injuries
- Implement a Safe Routes to School assistance program and support other agencies' initiatives that complement the SAVE Plan relative to safety planning and implementation for all schools, including high schools
- Develop the State of Safety report to track progress toward safety performance measure targets and emphasis area goals identified in the SAVE Plan
- Provide technical assistance to local agencies through the Signal Timing and Optimization Program (STOP) to improve the efficiency of traffic signals in regionally-significant corridors in order to improve air quality by reducing delays for a majority of vehicles



## **Programming**

- Manage the current SFYs 2018-2021 TIP using monitoring reports, a list of obligated projects and NOACA-funded project monitoring reports
- Develop the SFY 2021-2024 TIP including a long-range transportation plan needs assessment to identify projects for NOACA administered funds
- Evaluate proposed projects for Plan and TIP amendment against NOACA Planning requirements and target screening criteria through agency Project Planning Review (PPR) process
- Develop and maintain a new online interactive TIP tool
- Manage and report Capital Programs Performance Measures for project delivery and fund utilization
- Continue to implement a methodology to assess the impacts and benefits of TIP projects implemented in the region
- Continue the development of a Project Maintenance Monitoring Program to ensure that NOACA funded projects are providing maximum public benefit
- Perform a minimum of three maintenance monitoring reviews in accordance with the Project Maintenance Oversight Program Maintenance review will be conducted collaboratively with the responsible maintenance agency
- Administer the Congestion Mitigation and Air Quality (CMAQ) program in cooperation with statewide MPOs
- Assist in the administration of the TLCI and Enhanced Mobility for Seniors and Individuals with Disabilities (5310) programs
- Maintain and implement the Lake Erie Coastal Trail (LECT) Corridor Management Plan in partnership with other organizations on the LECT coordinating committee
- Create the SFY 2019 OWP year-end completion report
- Develop the SFY 2021 OWP and Budget

## **External Engagement and Public Affairs**

- Plan a communication strategy based on goals and objectives detailed in NOACA Regional Strategic Plan and consistent with federal and state requirements related to public engagement and interaction
- Plan and implement a series of public outreach and engagement activities that involve and solicit feedback from stakeholders and the general public on the transportation planning priorities identified in NOACA's major planning documents
- Produce community and regional public speaking opportunities for the NOACA executive director and senior management staff to publicize and coalesce support for NOACA work and specific initiatives
- Develop written, graphical and visual communications products that illustrate the NOACA priorities of economic development, regional cohesion, infrastructure preservation, sustainable development and multimodal transportation
- Create reports, policy documents and white papers that analyze public policy related to planning priorities of the region in support of outcomes consistent with the planning goals and objectives of NOACA and the region
- Create content marketing as a strategic management approach that will focus on cohesive engagement and distribution of valuable, sustainable, relevant, and consistent messaging across all agency services in order to attract and retain audiences and their experiences through our digital platforms and communications
- Manage planning and coordination for the NOACA Annual Meeting and annual Conference on Freight events

- Manage requests for the agency's data and information

## **Compliance**

- Conduct ongoing compliance and reporting for Title VI of the Civil Rights Act, as needed
- Manage the agency's public records

## **FINANCIAL IMPACT**

The operating budget for SFY 2020 is expected to be a little more than \$6.7 million, plus an estimated \$1.46 million in encumbrances from prior fiscal years (\$8.2 million total). The combined SFY 2020 OWP Budget and carryforward is around two percent higher than the SFY 2019 Budget and carryforward. However, a comparison of the SFY 20 budget to the SFY 19 budget actually represents a small (less than 1%) decrease. Furthermore, estimated carryforward revenues (\$1.46 million) plus SFY 20 revenues (\$6.94 million) are \$8.40 million, which is more than sufficient to meet the expenditures. Unspent revenues (currently estimated at \$201,976) will go to replenish local reserves.

## **Revenues**

Factoring in \$1.46 million of prior year funds carried forward and \$6.94 million in funding for SFY 2020, total available revenues are projected to be around \$8.40 million. SFY 2020 revenue sources are similar to prior years and primarily come from FHWA, FTA, ODOT, USEPA, Ohio EPA and NOACA dues. In addition, the Ohio Turnpike Commission, Cleveland Foundation and ODOT committed funds toward the Hyperloop project in SFY 2019. A portion of these SFY 2019 funds are expected to be carried forward for continued work related to the Hyperloop Feasibility Study. By optimizing use of existing resources and the successful pursuit of additional funds for special projects, the SFY 2020 budget will allow NOACA to complete ongoing work and address new priorities at a similar level of funding as prior years.

## **Expenditures**

Total SFY 2020 expenditures for staffing and operations are an estimated \$8.20 million. Of this, \$1.18 million is for expenditures encumbered in prior years that will be paid in SFY 2020. The remaining \$320,000 in carryforward funds will be used for staffing and related expenditures. The SFY budget is projected to be \$6.7 million.

The key SFY 2020 budget assumptions include:

- 47 full-time equivalent positions authorized in the organizational chart (unchanged from SFY 2019), not all of which are funded.
- A 5% increase in health care costs
- A 3% overall salary increase for the annual staff performance evaluation process, which is also consistent with SFY 2019. Note that individual staff increases will be based on merit.

A Budget Summary appears on the next page. The full draft OWP can be found at <https://www.noaca.org/Home/ShowDocument?id=23702>.

## Budget Summary

Staffing and operations expenses for recent years and the upcoming year are summarized below.

Combined FY 19 CF/FY 20 Budget						
	FY 17 Actual	FY 18 Actual	FY 19 Original Budget	FY 19 Estim. Carry Forward (CF)	FY 20 Budget	FY19 CF + FY 20 Total
Beginning Balances	\$1,117,558	\$ 878,339	\$ 463,258			\$440,491
<b>Revenues</b>						
Federal	\$5,158,424	\$4,808,633	\$5,877,726	\$1,042,895	\$5,474,068	\$6,516,963
State	\$ 506,695	\$511,603	\$1,208,350	\$324,959	\$508,164	\$833,123
Other	\$ 773,979	\$717,598	\$929,947	\$90,478	\$961,747	\$1,052,225
Cleveland Foundation	\$ 49,725	\$0	\$200,000	\$90,478	\$0	\$90,478
Miscellaneous Revenues	\$ 11,412	\$465	\$14,700	\$0	\$0	\$0
Local Dues	\$ 706,747	\$706,747	\$706,747	\$0	\$706,747	\$706,747
Local Dues to replenish reserves		\$0	\$0	\$0	\$50,000	\$50,000
Local Dues reserved for WQ		\$0	\$0	\$0	\$188,000	\$188,000
Interest	\$ 6,095	\$10,386	\$8,500	\$0	\$17,000	\$17,000
<b>Total Revenues</b>	<b>\$6,439,098</b>	<b>\$6,037,834</b>	<b>\$8,016,023</b>	<b>\$1,458,332</b>	<b>\$6,943,979</b>	<b>\$8,402,312</b>
<b>Total Resources</b>	<b>\$7,556,656</b>	<b>\$6,916,173</b>	<b>\$8,479,281</b>			<b>\$8,842,803</b>
<b>Expenditures</b>						
Salaries and Wages	\$3,532,545	\$3,282,036	\$3,604,493	\$201,649	\$3,704,002	\$3,905,651
Employee Benefits	\$ 942,597	\$1,076,317	\$1,241,567	\$117,643	\$1,281,457	\$1,399,100
Training and Prof Dues	\$ 38,021	\$31,700	\$70,765	\$0	\$81,665	\$81,665
Contractual Services	\$1,550,556	\$1,191,536	\$2,351,518	\$1,089,265	\$876,602	\$1,965,867
Other Operating	\$ 147,519	\$230,222	\$456,717	\$43,945	\$476,403	\$520,348
Occupancy and Equipment	\$ 214,964	\$233,983	\$250,200	\$45,305	\$219,900	\$265,205
Capital Outlay	\$ 98,446	\$268,200	\$63,530	\$0	\$62,500	\$62,500
<b>Total Expenses</b>	<b>\$6,524,648</b>	<b>\$6,313,994</b>	<b>\$8,038,790</b>	<b>\$1,497,806</b>	<b>\$6,702,530</b>	<b>\$8,200,336</b>
<b>Total Resources Less Expenses</b>	<b>\$1,032,008</b>	<b>\$ 602,179</b>	<b>\$ 440,491</b>			<b>\$642,467</b>
Payables and Receivables	\$ (153,669)	\$ (138,971)				\$0
<b>Ending Balances</b>	<b>\$ 878,339</b>	<b>\$ 463,258</b>	<b>\$ 440,491</b>			<b>\$642,467</b>
<b>FEDERAL PASS THROUGH</b>						
<b>Revenues</b>						
FHWA STBG (TLCI Grant Sub Recipients)	\$1,125,000	\$2,000,000	\$ 2,000,000		\$1,056,361	\$1,056,361
FTA JARC/NF/5310	\$ 472,703	\$3,155,214	\$ 4,309,380		\$2,360,955	\$2,360,955
<b>Total Pass Through Revenues</b>	<b>\$1,597,703</b>	<b>\$5,155,214</b>	<b>\$ 6,309,380</b>	<b>\$ -</b>	<b>\$3,417,316</b>	<b>\$3,417,316</b>
<b>Expenditures</b>						
TLCI (Grant Sub Recipients)	\$1,125,000	\$2,000,000	\$ 2,000,000		\$1,056,361	\$1,056,361
FTA JARC/NF/5310	\$ 472,703	\$3,155,214	\$ 4,309,380		\$2,360,955	\$2,360,955
<b>Total Pass Through Expenditures</b>	<b>\$1,597,703</b>	<b>\$5,155,214</b>	<b>\$ 6,309,380</b>	<b>\$ -</b>	<b>\$3,417,316</b>	<b>\$3,417,316</b>

A comparison of the draft SFY 2020 budget plus encumbrances to the SFY 2019 budget plus encumbrances shows that projected costs for

- Employee-related expenses will increase by \$470,000, or 10%, as NOACA plans to fill previously-unfunded vacant positions
- Contractual Services will decrease by approximately \$385,700. The decrease is largely attributed to the Hyperloop Feasibility Study project, which was a part of the SFY 2019 OWP and is nearly complete.

- Other Operating (supplies, postage, business travel, agency memberships, meeting costs, and outside printing) will increase by almost \$64,000 due, in part, to NOACA hosting the Ohio Conference on Freight.
- Utilities and Building Maintenance, which includes Occupancy and Equipment and Capital Outlay, will increase by nearly \$14,000.

The full draft OWP can be found at: <https://www.noaca.org/Home/ShowDocument?id=23702>.

### **CONCLUSION/NEXT STEPS**

With Board approval, the final 2020 OWP and Budget will be sent to ODOT and federal agencies for approval.

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**RESOLUTION NO. 2019-026  
(SFY 2020 OVERALL WORK  
PROGRAM AND BUDGET)**

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE  
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

**WHEREAS**, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the Metropolitan Planning Organization (MPO) for the counties of Cuyahoga, Geauga, Lake, Lorain and Medina, and the areawide water quality management agency for the same region; and

**WHEREAS**, the Northeast Ohio Areawide Coordinating Agency (NOACA) is required by federal law to develop an Overall Work Program (OWP); and

**WHEREAS**, the Board of Directors has the responsibility to approve the work activities, revenues and expenditures of the agency and does so through approval of the agency's fiscal year Overall Work Program (OWP) and budget; and

**WHEREAS**, the OWP and Budget, incorporating activities to be performed by the agency under various grants for state fiscal year (SFY) 2020, has been prepared for the Board of Directors, based on local input and areawide needs, as supplemented by state and federal requirements; and

**WHEREAS**, proposed OWP activities have been reviewed by local jurisdictions, agencies, Board committees, and state and federal funding agencies; and

**WHEREAS**, the transportation and environmental elements of the NOACA SFY 2020 OWP are designed to address the policies of the NOACA Board of Directors, and meet applicable regulations of the U.S. Department of Transportation and the U.S. Environmental Protection Agency; and

**WHEREAS**, the draft OWP and financial information have been presented to the appropriate committees; and

**WHEREAS**, the OWP includes expected planning activities from public transit agencies that will be using federal funds; and

**WHEREAS**, the draft OWP has been reviewed by Federal Highway Administration (FHWA), Federal Transit Administration (FTA) and the Ohio Department of Transportation (ODOT); and

**WHEREAS**, comments and suggestions received through this process have been incorporated into the final OWP and fully reported to the NOACA Board of Directors; and

**WHEREAS**, based upon the OWP activities, the SFY 2020 budget has been prepared containing line item detail related to the agency's projected operations; and

**WHEREAS**, NOACA has encumbered or committed budget elements and expenditures approved by the Board in prior years' budgets that will need to be paid in SFY 2020 and funding associated with these purchases need to be carried forward into the SFY 2020 budget; and

**WHEREAS**, dues from member local governments and regional authorities are invoiced at the beginning of each new fiscal year budget so that local funds are available to match available federal grants; and

**WHEREAS**, NOACA was successfully certified by federal agencies in 2017 and continues to carry out its responsibilities in accordance with federal law; and

**WHEREAS**, federal regulations also require that NOACA and ODOT must annually self-certify the MPO planning process; and

**RESOLUTION NO. 2019-026  
(SFY 2020 OVERALL WORK  
PROGRAM AND BUDGET)**

**WHEREAS**, in accordance with the Fixing America's Surface Transportation (FAST) Act, NOACA and ODOT are carrying out their respective duties under applicable provisions of federal law, and as outlined in ongoing biennial agreements between the two entities.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Northeast Ohio Areawide Coordinating Agency, consisting of forty-five principal officials serving general purpose local governments throughout and within the counties of Cuyahoga, Geauga, Lake, Lorain, and Medina that:

**Section 1.** The SFY 2020 Overall Work Program and Budget as it exists on NOACA's website as of June 14, 2019 and the SFY 2020 Budget Summary (Exhibit 1), has been appropriately reviewed and is approved as meeting federal requirements for comprehensive, cooperative, and continuing areawide planning.

**Section 2.** The Board of Directors authorizes commitment of sufficient local funds to provide for said work activities, as matching share for grants tendered to this Agency for SFY 2020, and otherwise as support for local activities.

**Section 3.** The Executive Director is authorized to issue invoices for a total of \$944,747, and any Board of Directors approved increases, in local dues for SFY 2020, according to the NOACA Code of Regulations and the NOACA dues allocation plans formulated by the respective Boards of Commissioners in each of the four counties and by the Cuyahoga County Executive's office.

**Section 4.** The urban transportation planning process is being carried out in conformance with all applicable federal requirements and the Executive Director is authorized to sign NOACA's Self Certification (Exhibit 2) and forward it with necessary documentation to the appropriate agencies, and to execute the ongoing biennial agreement with the Ohio Department of Transportation.

**Section 5.** The Executive Director is authorized to apply for, receive and utilize such funds as provided for within the Overall Work Program and Budget, including execution of contracts, agreements, certifications and civil rights assurances, as necessary to accomplish the intent of this Resolution.

**Section 6.** The project and funding tables in the OWP and Budget are based on estimates of available funding and will be adjusted when actual funding amounts are finalized. The Executive Director is hereby authorized to adjust the Overall Work Program and Budget to account for prior year approved budget items that are needed to carry forward to the SFY 2020 OWP and Budget.

**Section 7.** NOACA's approved SFY 2020 budget will also include any encumbered expenditures approved by the Board in the prior year budgets that will be paid in SFY 2020; and

**Section 8.** The SFY 2020 Overall Work Program and Budget is adopted with the understanding that the scope, staffing and budget of individual planning projects may need to be modified due to available funding or for other reasons. The Executive Director is authorized to make modifications within and between work program categories so long as the total agency budget remains unchanged.

**Section 9.** The Executive Director is hereby authorized to transmit a certified copy of this Resolution and other appropriate documentation to federal, state and local agencies.

**RESOLUTION NO. 2019-026  
(SFY 2020 OVERALL WORK  
PROGRAM AND BUDGET)**

Certified to be a true copy of a Resolution of the  
Board of Directors of the Northeast Ohio Areawide  
Coordinating Agency adopted this 14<sup>th</sup> day of June  
2019.

Secretary: \_\_\_\_\_

Date Signed: \_\_\_\_\_

## EXHIBIT 1

### NOACA SFY 2020 Budget Summary

Staffing and operations expenses for recent years and the upcoming year are summarized in the table below.

	FY 17 Actual	FY 18 Actual	FY 19 Original Budget	Combined FY 19 CF/FY 20 Budget		
				FY 19 Estim. Carry Forward (CF)	FY 20 Budget	FY19 CF + FY 20 Total
Beginning Balances	\$1,117,558	\$ 878,339	\$ 463,258			\$440,491
<b>Revenues</b>						
Federal	\$5,158,424	\$4,808,633	\$5,877,726	\$1,042,895	\$5,474,068	\$6,516,963
State	\$ 506,695	\$511,603	\$1,208,350	\$324,959	\$508,164	\$833,123
Other	\$ 773,979	\$717,598	\$929,947	\$90,478	\$961,747	\$1,052,225
Cleveland Foundation	\$ 49,725	\$0	\$200,000	\$90,478	\$0	\$90,478
Miscellaneous Revenues	\$ 11,412	\$465	\$14,700	\$0	\$0	\$0
Local Dues	\$ 706,747	\$706,747	\$706,747	\$0	\$706,747	\$706,747
Local Dues to replenish reserves		\$0	\$0	\$0	\$50,000	\$50,000
Local Dues reserved for WQ		\$0	\$0	\$0	\$188,000	\$188,000
Interest	\$ 6,095	\$10,386	\$8,500	\$0	\$17,000	\$17,000
<b>Total Revenues</b>	<b>\$6,439,098</b>	<b>\$6,037,834</b>	<b>\$8,016,023</b>	<b>\$1,458,332</b>	<b>\$6,943,979</b>	<b>\$8,402,312</b>
<b>Total Resources</b>	<b>\$7,556,656</b>	<b>\$6,916,173</b>	<b>\$8,479,281</b>			<b>\$8,842,803</b>
<b>Expenditures</b>						
Salaries and Wages	\$3,532,545	\$3,282,036	\$3,604,493	\$201,649	\$3,704,002	\$3,905,651
Employee Benefits	\$ 942,597	\$1,076,317	\$1,241,567	\$117,643	\$1,281,457	\$1,399,100
Training and Prof Dues	\$ 38,021	\$31,700	\$70,765	\$0	\$81,665	\$81,665
Contractual Services	\$1,550,556	\$1,191,536	\$2,351,518	\$1,089,265	\$876,602	\$1,965,867
Other Operating	\$ 147,519	\$230,222	\$456,717	\$43,945	\$476,403	\$520,348
Occupancy and Equipment	\$ 214,964	\$233,983	\$250,200	\$45,305	\$219,900	\$265,205
Capital Outlay	\$ 98,446	\$268,200	\$63,530	\$0	\$62,500	\$62,500
<b>Total Expenses</b>	<b>\$6,524,648</b>	<b>\$6,313,994</b>	<b>\$8,038,790</b>	<b>\$1,497,806</b>	<b>\$6,702,530</b>	<b>\$8,200,336</b>
<b>Total Resources Less Expenses</b>	<b>\$1,032,008</b>	<b>\$ 602,179</b>	<b>\$ 440,491</b>			<b>\$642,467</b>
Payables and Receivables	\$ (153,669)	\$ (138,971)				\$0
<b>Ending Balances</b>	<b>\$ 878,339</b>	<b>\$ 463,258</b>	<b>\$ 440,491</b>			<b>\$642,467</b>
<b>FEDERAL PASS THROUGH</b>						
<b>Revenues</b>						
FHWA STBG (TLCI Grant Sub Recipients)	\$1,125,000	\$2,000,000	\$ 2,000,000		\$1,056,361	\$1,056,361
FTA JARC/NF/5310	\$ 472,703	\$3,155,214	\$ 4,309,380		\$2,360,955	\$2,360,955
<b>Total Pass Through Revenues</b>	<b>\$1,597,703</b>	<b>\$5,155,214</b>	<b>\$ 6,309,380</b>	<b>\$ -</b>	<b>\$3,417,316</b>	<b>\$3,417,316</b>
<b>Expenditures</b>						
TLCI (Grant Sub Recipients)	\$1,125,000	\$2,000,000	\$ 2,000,000		\$1,056,361	\$1,056,361
FTA JARC/NF/5310	\$ 472,703	\$3,155,214	\$ 4,309,380		\$2,360,955	\$2,360,955
<b>Total Pass Through Expenditures</b>	<b>\$1,597,703</b>	<b>\$5,155,214</b>	<b>\$ 6,309,380</b>	<b>\$ -</b>	<b>\$3,417,316</b>	<b>\$3,417,316</b>



## EXHIBIT 2

### Metropolitan Transportation Planning Process Certification

In accordance with 23 CFR 450, the Ohio Department of Transportation and the Northeast Ohio Areawide Coordinating Agency, the Metropolitan Planning Organization for the Cleveland/Lorain urbanized areas hereby certify that the transportation planning process is addressing the major issues in the metropolitan planning area and is being conducted in accordance with all applicable requirements of:

- 1) 23 U.S.C. 134, 49 U.S.C. 5303, and 23 CFR 450.218;
- 2) Sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506 (c) and (d)) and 40 CFR part 93;
- 3) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
- 4) 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
- 5) Section 1101(b) of MAP-21 (Pub. L. 112-141) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
- 6) 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- 7) The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49
- 8) CFR parts 27, 37, and 38;
- 9) The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- 10) Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
- 11) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

**Northeast Ohio Areawide Coordinating Agency  
(NOACA)**

**Ohio Department of Transportation (ODOT)**

\_\_\_\_\_  
Board President Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date





## **NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

### **MEMORANDUM**

**TO:** NOACA Board of Directors

**FROM:** Grace Gallucci, Executive Director

**DATE:** June 7, 2019

**RE:** **Resolution No. 2019-027: Procurement – Regional Strategic Transit Plan**

#### **ACTION REQUESTED**

The Board is asked to approve this item, which will award a contract to AECOM Technical Services, Inc. for NOACA's Regional Strategic Transit Plan not to exceed the amount of \$148,916.

The Finance and Audit Committee recommends this action.

#### **BACKGROUND/JUSTIFICATION FOR CURRENT ACTION**

Transit is an important aspect of the transportation network, and mobility choices are vital to the health and vibrancy of a region. Public transit options reduce congestion, personal transportation costs, and carbon output. Public transit is not just a form of alternative transportation, but provides options for lower-income households, the elderly, and people with disabilities. Public transit provides access to healthcare, entertainment, and educational facilities, among other daily activities and destinations.

The region's population density is declining, and the population is expanding outward into townships and previously rural areas. NOACA and the region's transit systems will need to plan accordingly to meet the needs of the region's population and to prioritize limited transportation funding. The region must balance transit needs with demands, determining where to expand or reduce service, and where to strengthen core services.

In light of these factors, NOACA is looking to develop a Regional Strategic Transit plan. The overall goals of this plan is to (1) recommend how to prioritize transit investments within the NOACA region (analyze current funding mechanisms, current and long term funding needs, provide a baseline economic value analysis), (2) identify gaps and needs in transit service regionally based upon the Fixed Route service networks of each of the transit agencies in the NOACA region and (3) identify strategies on how to better connect the region through transit and use of other NOACA products like the Transit Oriented Development and Transit Asset Management plans. This will be done through a collaborative effort of NOACA and regional transit agencies and stakeholders.

On March 8<sup>th</sup>, 2019 NOACA issued a Request for Proposals (RFP) for a Regional Strategic Transit Plan.

The proposals were due on April 17<sup>th</sup>, 2019. NOACA received two proposals. Vendors were scored on four criteria: project approach, experience, qualifications and cost. After evaluating the proposals, the NOACA review team selected the vendor with the highest scores which was AECOM Technical Services Inc.

**FINANCIAL IMPACT**

The proposed contract will be executed for 18 months commencing on or around July 2019 and ending on or around December 2020; at a cost not to exceed \$148,916. This project is funded by the Office of Statewide Planning and Research grant from the Ohio Department of Transportation (ODOT).

**CONCLUSION/NEXT STEPS**

If approved, NOACA will enter into contract with AECOM Technical Services Inc. for a term July 1<sup>st</sup>, 2019-December 1<sup>st</sup>, 2020.

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**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE  
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

**WHEREAS**, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the Metropolitan Planning Organization (MPO) for the counties of Cuyahoga, Geauga, Lake, Lorain, Medina, the City of Cleveland and the areawide water quality management agency for the same region; and

**WHEREAS**, Transit is an important aspect of the transportation network, and mobility choices are vital to the health and vibrancy of a region. Public transit options reduce congestion, personal transportation costs, and carbon output; and

**WHEREAS**, NOACA and the region's transit systems will need to plan accordingly to meet the needs of the region's population and to prioritize limited transportation funding. The region must balance transit needs with demands, determining where to expand or reduce service, and where to strengthen core services; and

**WHEREAS**, NOACA's procurement policy requires that these consulting services be obtained through a competitive process following all applicable federal, state, and local policies and regulations, which was accomplished through a Request for Proposals issued on March 8th, 2019, with two proposals received on April 17th, 2019.

**WHEREAS**, AECOM Technical Services Inc. was determined to best provide these services.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Northeast Ohio Areawide Coordinating Agency, consisting of forty five principal officials serving general purpose local governments throughout and within the counties of Cuyahoga, Geauga, Lake, Lorain, Medina, and the City of Cleveland that:

**Section 1.** The Executive Director is hereby authorized to enter into a contract for services with the firm of AECOM Technical Services Inc in an amount not to exceed \$148,916 for this project. Commencing on or around July 1st, 2019 and ending around December 1<sup>st</sup>, 2020.

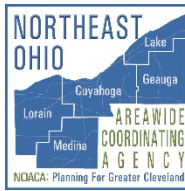
**Section 2.** The Executive Director is authorized to transmit certified copies of this resolution to appropriate federal, state, and local agencies.

Certified to be a true copy of a Resolution of the Board of  
Directors of the Northeast Ohio Areawide Coordinating  
Agency adopted this 14th day of June 2019.

Secretary: \_\_\_\_\_

Date Signed: \_\_\_\_\_





## **NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

### **MEMORANDUM**

**TO:** NOACA Board of Directors

**FROM:** Grace Gallucci, Executive Director

**DATE:** June 7, 2019

**RE:** **Resolution No. 2019-028: Contract Amendment – Great Lakes Hyperloop Feasibility Study**

#### **ACTION REQUESTED**

The Committee is asked to consider placement of this item on the June 2019 Board of Directors' agenda. Specifically, this action would amend the Transportation Economics & Management Systems, Inc. (TEMS) contract for The Great Lakes Hyperloop Feasibility Study in the amount of \$35,393.

The Finance and Audit Committee recommended this action.

#### **BACKGROUND/JUSTIFICATION FOR CURRENT ACTION**

The Board of Directors, through Resolution 2018-019, authorized a budget of \$600,000, and awarded a contract to Transportation Economics & Management Systems, Inc. (TEMS) for the development of The Great Lakes Hyperloop Feasibility Study not to exceed amount of only \$550,092. As the study has progressed, events have occurred that suggest some minor contract amendment should be done.

The original study corridor from Cleveland to Chicago was extended to Youngstown as requested by the Ohio Department of Transportation, a partner in this project. This study extension is being completed within the existing budget and on the same schedule as the original corridor. In March 2019, the Pennsylvania Turnpike Commission awarded a two million dollar contract for a Hyperloop feasibility study from Pittsburgh to Philadelphia. This leaves a small gap between Youngstown and Pittsburgh of approximately 65 miles. The extension of the corridor from Youngstown to Pittsburgh will enhance the economic feasibility and connect Cleveland to the East Coast through Pennsylvania's Hyperloop Feasibility Study. The Cleveland to Pittsburgh corridor was always identified as a phase two route, so this small extension would complete the network.

This study of the extension to Pittsburgh will cost \$55,150. A portion of this amount (\$20,000) will be funded through a contract savings resulting from a shift of some communications and public outreach tasks from TEMS to NOACA and HTT, as the new Director of External Engagement and Public Affairs will lead those tasks with support from HTT's Public Affairs team. Therefore, only \$35,393 is needed, taking the contract amount from \$550,092 to \$585,485, as well as extending the completion of the study to the end of October. The time extension is needed to complete the additional work.

#### **FINANCIAL IMPACT**

This project was budgeted for expenditure in FY 2019 for \$600,000 and is funded through revenues totaling \$650,000 earmarked for the Hyperloop initiative from various partners of NOACA (Cleveland Foundation –

\$200k, ODOT - \$250,000, Ohio Turnpike - \$100,000), as well as NOACA (\$100K). This action would increase the consultant contract from \$550,092 to \$585,485, which is still below the Board approved budgeted amount of \$600,000.

**CONCLUSION/NEXT STEPS**

Pending Board approval, NOACA will amend the contract with Transportation Economics & Management Systems, Inc. (TEMS).

GG/ks/3066b



**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE  
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

**WHEREAS**, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the Metropolitan Planning Organization (MPO) for the counties of Cuyahoga, Geauga, Lake, Lorain, Medina, the City of Cleveland and the areawide water quality management agency for the same region; and

**WHEREAS**, the Board of Directors, through Resolution 2018-019, authorized a budget of \$600,000, and awarded a contract to Transportation Economics & Management Systems, Inc. (TEMS) for the development of The Great Lakes Hyperloop Feasibility Study; and

**WHEREAS**, the original study corridor from Cleveland to Chicago was extended to Youngstown, which is being completed within the existing budget and on the same schedule as the original corridor; and

**WHEREAS**, this leaves a small gap between Youngstown and Pittsburgh of approximately 65 miles; and

**WHEREAS**, the extension of the corridor from Youngstown to Pittsburgh will enhance the economic feasibility and connect Cleveland to the East Coast through Pennsylvania's Hyperloop Feasibility Study; and

**WHEREAS**, the study of the extension to Pittsburgh will cost \$55,150. A portion of this amount (\$20,000) will be funded through a contract savings resulting from a shift of some communications and public outreach tasks from TEMS to NOACA and HTT. Therefore, only \$35,393 is needed, taking the contract amount from \$550,092 to \$585,485, as well as extending the completion of the study to the end of October.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Northeast Ohio Areawide Coordinating Agency, consisting of forty-five principal officials serving general purpose local governments throughout and within the counties of Cuyahoga, Geauga, Lake, Lorain, Medina, and the City of Cleveland that:

**Section 1.** The Executive Director is hereby authorized to amend the existing contract with Transportation Economics & Management Systems, Inc in the amount of \$35,393 for this project.

**Section 2.** The Executive Director is authorized to transmit certified copies of this resolution to appropriate federal, state, and local agencies.

Certified to be a true copy of a Resolution of the Board of  
Directors of the Northeast Ohio Areawide Coordinating  
Agency adopted this 14th day of June 2019.

Secretary: \_\_\_\_\_

Date Signed: \_\_\_\_\_





## **NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

### **MEMORANDUM**

**TO:** NOACA Board of Directors

**FROM:** Grace Gallucci, Executive Director

**DATE:** June 7, 2019

**RE:** **Resolution 2019-029: Project Funding Requests – LOR Avon Citywide Bicycle and Multi-use Path TLCI Study**

#### **ACTION REQUESTED**

The Board of Directors is asked to approve Resolution 2019-029, which approves additional funding for the City of Avon Transportation for Livable Communities Initiative (TLCI) study project of \$15,000 to expand the study area into the adjacent community of Sheffield Village.

The Finance and Audit Committee recommended this action.

#### **BACKGROUND/JUSTIFICATION FOR CURRENT ACTION**

The Avon Citywide Bicycle and Multi-Use Path Master Plan TLCI study project is programmed in SFY 2019 of the current 2018-2021 Transportation Improvement Program (TIP) with a NOACA commitment of \$30,000 of TLCI program funds. The current project scope and funding commitment was developed to establish a bicycle and pedestrian plan for the Avon incorporated area.

In the most recent TLCI funding cycle, Sheffield Village submitted an application to study a potential bicycle route connection in an area adjacent to the Avon incorporated area. Sheffield Village requested \$15,000 for the project, however, the project was not recommended for funding at that time as an independent project.

Subsequent meetings with Avon and Sheffield Village, and Lorain County Metro Parks officials were conducted to better understand the larger context of the communities' needs, it was collectively determined that extending the existing Avon TLCI study area into the proposed Sheffield Village study area is needed to best plan and evaluate connection of the communities to the larger regional bicycle and pedestrian network in Lorain County.

Therefore, the communities are requesting an increased NOACA TLCI program funding commitment of \$15,000, as originally requested by Sheffield Village, to expand the study project across communities to provide maximum project benefit. A local match of \$5,000 (20%) has been committed from the Lorain County Metro Parks for a total cost of \$20,000. If approved, the existing Avon TLCI consultant contract would be modified in scope and cost and the communities would partner in performance of the study.

#### **FINANCIAL IMPACT**

The request would increase the NOACA funding commitment to the City of Avon TLCI study project by \$15,000 from \$30,000 to \$45,000. The increase would be funded utilizing savings from TLCI projects

coming in under estimate. Therefore, there is no impact to other projects funded through the TLCl program or the TIP.

**CONCLUSION/NEXT STEPS**

With Board approval, the TIP will be amended to incorporate the additional scope and funding for the project.

GG/rl/3067b

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE  
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

**WHEREAS**, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the Metropolitan Planning Organization (MPO) for the counties of Cuyahoga, Geauga, Lake, Lorain and Medina, and the City of Cleveland; and the areawide water quality management agency for the same region; and

**WHEREAS**, the Avon Citywide Bicycle and Multi-Use Path Master Plan TLCI study project was awarded \$30,000 of TLCI study funds (Resolution 2018-012) programmed in SFY 2019 of the current 2018-2021 Transportation Improvement Program (TIP); and

**WHEREAS**, the current project scope and funding commitment was developed to establish a bicycle and pedestrian plan for the Avon incorporated area; and

**WHEREAS**, Sheffield Village submitted an application in 2019 to study bicycle route connections in an area adjacent to the Avon incorporated area, requesting \$15,000 of NOACA TLCI funds; and

**WHEREAS**, the Sheffield Village project was not recommended for funding at that time as an independent project; and

**WHEREAS**, subsequent meetings with Avon and Sheffield Village, and Lorain County Metro Parks officials were conducted to better understand the larger context of the communities' needs; and

**WHEREAS**, it was collectively determined that extending the existing Avon TLCI study area into the proposed Sheffield Village study area is needed to best plan and evaluate connection of the communities to the larger regional bicycle and pedestrian network in Lorain County; and

**WHEREAS**, the communities are requesting an increase to the NOACA funding commitment to the City of Avon TLCI study project by \$15,000 from \$30,000 to \$45,000, as originally requested by Sheffield Village, to expand the study project across communities to provide maximum project benefit; and

**WHEREAS**, a local match of \$5,000 (20%) has been committed from the Lorain County Metro Parks for a total cost of \$20,000; and

**WHEREAS**, the increase would be funded utilizing savings from TLCI projects coming in under estimate. Therefore, there is no impact to other projects funded through the TLCI program or the TIP.

**WHEREAS**, if approved, the existing Avon TLCI consultant contract would be modified in scope and cost and the communities would partner in performance of the study.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Northeast Ohio Areawide Coordinating Agency, consisting of 45 principal officials serving general purpose local governments throughout and within the counties of Cuyahoga, Geauga, Lake, Lorain, and Medina that:

**Section 1.** Additional funding for the City of Avon Citywide Bicycle and Multi-Use Path Master Plan Transportation for Livable Communities Initiative (TLCI) project of \$15,000 to expand the study area into the adjacent community of Sheffield Village is approved.

**Section 2.** The Executive Director is authorized to transmit certified copies of this resolution to appropriate federal, state, and local agencies.

**RESOLUTION NO. 2019-029**  
**(Project Funding Requests – LOR Avon Citywide**  
**Bicycle and Multi-use Path TLCI Study)**

Certified to be a true copy of a Resolution of the  
Governing Board of the Northeast Ohio Areawide  
Coordinating Agency adopted this 14<sup>th</sup> day of June,  
2019.

Secretary: \_\_\_\_\_

Date Signed: \_\_\_\_\_



## **NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

### **MEMORANDUM**

**TO:** NOACA Board of Directors

**FROM:** Grace Gallucci, Executive Director

**DATE:** June 7, 2019

**RE:** **Resolution 2019-030: Project Funding Requests – CUY North Royalton State Road Sidewalks Phase I TLCI Implementation**

#### **ACTION REQUESTED**

The Board of Directors is asked to approve Resolution 2019-030, which approves a transfer of funding from Phase II of the City of North Royalton State Road Sidewalks to Phase I North Royalton State Road Sidewalks Transportation for Livable Communities Initiative (TLCI) Implementation project.

The Finance and Audit Committee recommended this action.

#### **BACKGROUND/JUSTIFICATION FOR CURRENT ACTION**

The City of North Royalton State Road Sidewalks Phase I TLCI Implementation project (ODOT PID 106748) will connect the Town Center District (TCD) to Memorial Park, providing access for the residential subdivisions and homes with immediate access to the TCD. The project also benefits students and staff travelling to school facilities that are adjacent to the park. The NOACA Board of Directors awarded \$108,900 of TLCI Implementation funds to this project (Resolution 2017-026) in June 2017, with a local commitment of \$41,500, totaling \$150,400 committed to this phase of the project.

The City of North Royalton State Road Sidewalks Phase II (Memorial Park to Akins) TLCI Implementation project continues the sidewalk south along State Road to Akins Road, lessening the gap in sidewalk facilities to the Cleveland Metroparks Valley Parkway trail to about 1,700 feet. The NOACA Board of Directors awarded \$100,000 of TLCI Implementation funds to this project (Resolution 2019-019) in March 2019.

Three bids were received for Phase I of this project, the lowest of which was \$252,784, nearly 60% (\$102,384) over the original \$150,400 application estimate. An additional 10% for ODOT construction admin/engineering costs brings the total Phase I project cost to \$278,023. To mitigate delay or cancellation of Phase I, the City has requested to transfer the \$100,000 in NOACA committed TLCI funds from Phase II of the project to Phase I; totaling the NOACA commitment to Phase I to \$208,900, and adjusting the NOACA TLCI commitment to Phase II to \$0. The City of North Royalton would contribute the remainder (approximately \$69,000) to complete Phase I of the project. The City requests the funds for Phase II to be considered for the next TLCI application round.

#### **FINANCIAL IMPACT**

The request would increase the NOACA funding commitment to the City of North Royalton State Road Sidewalks Phase I (Town Center District to Memorial Park-PID 106748) by \$100,000 from \$108,900 to

\$208,900, and decrease the NOACA funding commitment to the City of North Royalton State Road Sidewalks Phase II (Memorial Park to Akins Rd.) by \$100,000 to \$0.

**CONCLUSION/NEXT STEPS**

Pending Board approval, the TIP will be amended to incorporate the funding changes for these projects.

GG/rl/3068b



**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE  
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

**WHEREAS**, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the Metropolitan Planning Organization (MPO) for the counties of Cuyahoga, Geauga, Lake, Lorain and Medina, and the City of Cleveland; and the areawide water quality management agency for the same region; and

**WHEREAS**, the City of North Royalton State Road Sidewalks Phase I TLCI Implementation project (ODOT PID 106748) will connect the Town Center District (TCD) to Memorial Park, providing access for the residential subdivisions and homes with immediate access to the TCD; and

**WHEREAS**, the NOACA Board of Directors awarded \$108,900 of TLCI Implementation funds to the State Road Sidewalks Phase I project (Resolution 2017-026) in June 2017, with a local commitment of \$41,500, totaling \$150,400 committed to this phase of the project; and

**WHEREAS**, the City of North Royalton State Road Sidewalks Phase II (Memorial Park to Akins) TLCI Implementation project continues the sidewalk south along State Road to Akins Road, lessening the gap in sidewalk facilities to the Cleveland Metroparks Valley Parkway trail to about 1,700 feet; and

**WHEREAS**, the NOACA Board of Directors awarded \$100,000 of TLCI Implementation funds to the to the State Road Sidewalks Phase II project (Resolution 2019-019) in March 2019; and

**WHEREAS**, bids were received for State Road Sidewalks Phase I project, the lowest of which was \$252,784, nearly 60% (\$102,384) over the original \$150,400 application estimate. An additional 10% for ODOT construction admin/engineering costs brings the total Phase I project cost to \$278,023; and

**WHEREAS**, to mitigate delay or cancellation of Phase I, the City has requested to transfer the \$100,000 in NOACA committed TLCI funds from the State Road Sidewalks Phase II project to the State Road Sidewalks Phase I project; and

**WHEREAS**, the request would increase the NOACA funding commitment to State Road Sidewalks Phase I (Town Center District to Memorial Park-PID 106748) by \$100,000 from \$108,900 to \$208,900. The NOACA funding commitment to the State Road Sidewalks Phase II (Memorial Park to Akins Rd.) would reduce by \$100,000 to \$0; and

**WHEREAS**, the City of North Royalton would contribute the remainder (approximately \$69,000) to complete Phase I of the project; and

**WHEREAS**, the City also requests the funds for the State Road Sidewalks Phase II project to be considered for the next TLCI application round.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Northeast Ohio Areawide Coordinating Agency, consisting of 45 principal officials serving general purpose local governments throughout and within the counties of Cuyahoga, Geauga, Lake, Lorain, and Medina that:

**Section 1.** A transfer of \$100,000 of TLCI Implementation Program funding from Phase II of the City of North Royalton State Road Sidewalks project to the State Road Sidewalks Phase II project is approved.

**RESOLUTION NO. 2019-030**  
**(Project Funding Requests –**  
**CUY North Royalton State Road**  
**Sidewalks Phase I TLCI Implementation)**

**Section 2.** Funds for the State Road Sidewalks Phase II project will be considered for the next NOACA TLCI application round.

**Section 3.** The Executive Director is authorized to transmit certified copies of this resolution to appropriate federal, state, and local agencies.

Certified to be a true copy of a Resolution of the  
Governing Board of the Northeast Ohio Areawide  
Coordinating Agency adopted this 14<sup>th</sup> day of June,  
2019.

Secretary: \_\_\_\_\_

Date Signed: \_\_\_\_\_



## **NORTHEAST OHIO AREA WIDE COORDINATING AGENCY**

### **MEMORANDUM**

**TO:** NOACA Board of Directors

**FROM:** Grace Gallucci, Executive Director

**DATE:** June 7, 2019

**RE:** **Resolution No. 2019-031: Project Planning Review for 4th Quarter State Fiscal Year (SFY) 2019**

#### **ACTION REQUESTED**

The Board of Directors is asked to approve a project proposed for 4th Quarter SFY 2019 to acknowledge that the project has successfully completed project planning review (PPR).

The Transportation Subcommittee and the Planning and Programming Committee have recommended this action.

#### **BACKGROUND/JUSTIFICATION FOR CURRENT ACTION**

NOACA's Board approved Regional Transportation Investment Policy requires that all proposed federal-aid transportation projects be processed through PPR in order to meet NOACA's adopted goals and federal requirements.

PPR consists of four levels of review: NOACA staff; Board (including committees, subcommittees, and councils, which provide intergovernmental review and consultation (IGRC)) and public involvement. The end product of PPR is a Board resolution that certifies that the project has had thorough review, allowing the project to proceed to the programming stages of the planning process.

The fourth quarter PPR covers a roadway project in Madison Township, in Lake County.

Detailed information about the project can be found at:

- [Major rehabilitation of US-20 in Madison Township](#)

As part of the PPR process, a detailed summary of the proposed improvement and staff and committee assessment of the project are posted on NOACA's website, [www.NOACA.org](http://www.NOACA.org). A link to the PPRs is included on the home page by clicking the 'Comment on Projects' button. Staff adds comments obtained

from the public, governmental organizations and NOACA committees as they are received. Proposed projects are posted on the website for three months, allowing adequate time for review and comment.

**FINANCIAL IMPACT**

There is no financial impact.

**CONCLUSION/NEXT STEPS**

With Board approval, the project sponsor will be notified that their project has completed PPR. NOACA staff will work with project sponsor to address any planning issues identified during PPR prior to amendment to the Transportation Improvement Program (TIP).

GG/em/3069b

Attachment: 4<sup>th</sup> Quarter PPR Project List

**RESOLUTION 2019-031  
(PROJECT PLANNING REVIEW  
for 4<sup>th</sup> QUARTER SFY 2019)**

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE  
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

**WHEREAS**, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the Metropolitan Planning Organization (MPO) for the counties of Cuyahoga, Geauga, Lake, Lorain, and Medina, and the City of Cleveland; and the areawide water quality management agency for the same region; and

**WHEREAS**, the Congress of the United States, through law, and the U.S. Department of Transportation, through regulation, have determined that a long-range transportation plan and a Transportation Improvement Program (TIP) that include federal-aid transportation projects expected to be implemented during their time frames shall be prepared; and

**WHEREAS**, the NOACA's Regional Transportation Investment Policy (Resolution No. 2015-015) requires that all proposed federal-aid transportation projects be processed through project planning review in order to meet transportation plan goals and federal requirements; and

**WHEREAS**, project planning review consists of staff technical and policy assessment, committee review, public involvement, and Intergovernmental Review and Consultation; and

**WHEREAS**, the following project has been processed through project planning review:

- a) Ohio Department of Transportation (ODOT): LAK US 20 - 24.99: PID No. 109270 - The proposed project involves rehabilitation of US 20 (North Ridge Road), from Townline Road to SR-528 (Hubbard Road), in Madison Township.

**WHEREAS**, the project planning review may contain recommendations that require project sponsor attention or action; and

**WHEREAS**, it is expected that the project sponsor will, in good faith, endeavor to address comments and recommendations and will provide evidence of such, prior to the project advancing; and

**WHEREAS**, the above project planning review was recommended by the Transportation Subcommittee, the Planning and Programming Committee and the Executive Committee.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Northeast Ohio Areawide Coordinating Agency, consisting of forty-five principal officials serving general purpose local governments throughout and within the counties of Cuyahoga, Geauga, Lake, Lorain, and Medina that:

**Section 1:** The project in the attachment has successfully completed project planning review. The project planning review is a part of the project's permanent record, and will be used in future programming and prioritization decisions. The project is not subject to additional planning review unless there are significant changes in scope or finances, as determined by the appropriate committee.

**Section 2:** The project sponsor must endeavor to comply with any recommendations that have occurred as a result of the project planning review and will provide evidence of such in coordination with NOACA staff. NOACA staff will report back to appropriate NOACA committees and the Board regarding the coordination.

**RESOLUTION 2019-031  
(PROJECT PLANNING REVIEW  
for 4<sup>th</sup> QUARTER SFY 2019)**

**Section 3:** The Executive Director is authorized to transmit certified copies of this resolution to appropriate federal, state, and local agencies.

Certified to be a true copy of a Resolution of the  
Board of Directors of the Northeast Ohio Areawide  
Coordinating Agency adopted this 14th day of June  
2019.

Secretary: \_\_\_\_\_

Date Signed: \_\_\_\_\_

**RESOLUTION NO. 2019-031 PROJECT PLANNING REVIEW PROJECTS for 4th QUARTER SFY 2019  
ATTACHMENT  
6/7/2019**

Primary Work Category	PID No.	County	Sponsor	Project Name	Project Description	Total Cost	SFY
Roadway	109270	Lake	ODOT	LAK US 20 24.99	Project involves rehabilitation of US 20 (North Ridge Road), from Town Line Road to SR-528 (Hubbard Road), in Madison Township.	\$16,000,000	CO - 2021

**TOTAL    \$16,000,000**







## **NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

### **MEMORANDUM**

**TO:** NOACA Board of Directors

**FROM:** Grace Gallucci, Executive Director

**DATE:** June 7, 2019

**RE:** **Resolution No. 2019-032: Plan and TIP Amendments for 4th Quarter State Fiscal Year (SFY) 2019**

#### **ACTION REQUESTED**

The Board of Directors is asked to approve the amendments to NOACA's Long-Range Transportation Plan (Plan) and the Transportation Improvement Program (TIP) to include the proposed projects as indicated.

The Transportation Subcommittee and Planning and Programming Committee support this action.

#### **BACKGROUND/JUSTIFICATION FOR CURRENT ACTION**

The proposed amendments to the Plan and the state fiscal year (SFY) 2018 – 2021 Transportation Improvement Program (TIP) include a project being processed through project planning review (PPR). The project is a roadway project sponsored by the Ohio Department of Transportation (ODOT).

The amendments also include a Geauga County Engineer sponsored project, currently programmed in the TIP, involving the replacement of a bridge on Bundysburg Road, in Parkman Township. The estimated cost of the project has increased over the cost estimate threshold, which requires an amendment.

#### **FINANCIAL IMPACT**

The cost of the proposed projects being amended to the Plan and TIP is \$17.2 million. Funding for these projects is committed and/or planned from a variety of federal, state, and local sources. Federal funding is provided by the Federal Highway Administration and administered through the Ohio Department of Transportation.

#### **CONCLUSION/NEXT STEPS**

With Board approval, the amendments will be incorporated into the NOACA Plan and/or statewide TIP amendment in July 2019.

GG/em/3032b

Attachments: Amendments



**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE  
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

**WHEREAS**, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the Metropolitan Planning Organization (MPO) for the counties of Cuyahoga, Geauga, Lake, Lorain, and Medina, and the City of Cleveland; and the areawide water quality management agency for the same region; and

**WHEREAS**, the Congress of the United States, through law, and the U.S. Department of Transportation, through regulation, have determined that MPOs shall create a long-range, 20-year transportation plan and a four-year Transportation Improvement Program (TIP) that list federal-aid transportation projects expected to be implemented in each of the program years; and

**WHEREAS**, the NOACA Board of Directors' Regional Transportation Investment Policy requires that all proposed federal-aid transportation projects be processed through project planning review in order to meet transportation plan goals and federal requirements; and

**WHEREAS**, the following projects are proposed amendments to the NOACA long-range transportation plan (*AIM Forward 2040*) and state fiscal year (SFY) 2018 - 2021 TIP:

- a) Ohio Department of Transportation (ODOT): LAK US 20 - 24.99: PID No. 109270 - The proposed project involves rehabilitation of US 20 (North Ridge Road), from Townline Road to SR-528 (Hubbard Road), in Madison Township.
- b) Geauga County Engineer: GEA BUNDYSBURG RD: PID No. 94371 - The proposed project involves the replacement of a bridge on Bundysburg Road, in Parkman Township. The estimated cost of the project has increased over the cost estimate threshold, which requires an amendment.

**WHEREAS**, the above projects are excluded from regional emissions analysis and as such do not affect the existing TIP's air quality conformity determination; and

**WHEREAS**, the above projects are consistent with current financial forecasts and plans; and

**WHEREAS**, it is expected that the project sponsors will, in good faith, endeavor to address comments and recommendations raised during project planning review and will provide evidence of such, prior to the project advancing; and

**WHEREAS**, the Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP 21) the federal authorization legislation requires the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA), in consultation with States, MPOs, and other stakeholders, to establish performance measures in the areas of safety, infrastructure condition, congestion reduction, system reliability freight movement and economic vitality, environment sustainability, reduced project delivery delays and transit asset management; and

**WHEREAS**, ODOT, in consultation with States, MPOs, and other stakeholders, has established performance targets for the above performance measures; and

**WHEREAS**, the proposed projects must be evaluated for their anticipated effect toward achieving the performance targets identified in the metropolitan transportation plan, linking the investment priorities to the performance targets.

**RESOLUTION 2019-032  
(PLAN AND TIP AMENDMENTS  
for 4<sup>th</sup> QUARTER SFY 2019)**

**WHEREAS**, the above projects have been evaluated and are expected to contribute toward making progress toward achieving the performance targets established under MAP 21; and

**WHEREAS**, the above projects are recommended by the Transportation Subcommittee (TS), Planning and Programming Committee and the Executive Committee as amendments to the Plan and TIP as appropriate; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Northeast Ohio Areawide Coordinating Agency, consisting of 45 principal officials serving general purpose local governments throughout and within the counties of Cuyahoga, Geauga, Lake, Lorain, and Medina that:

**Section 1:** The attached projects have had appropriate review through NOACA's Project Planning Review Process (PPR) and are approved for amendment to the transportation plan and TIP, accordingly.

**Section 2:** The projects are not subject to additional planning review unless there are significant changes in scope or finances, as determined by the appropriate committee.

**Section 3:** The Executive Director is authorized to transmit certified copies of this resolution to appropriate federal, state, and local agencies.

Certified to be a true copy of a Resolution of the  
Board of Directors of the Northeast Ohio Areawide  
Coordinating Agency adopted this 14<sup>th</sup> day of June  
2019.

Secretary: \_\_\_\_\_

Date Signed: \_\_\_\_\_



**SFY 2018 - 2021 Transportation Improvement Program  
Roadway and Transportation Alternatives Projects**

Resolution No. 2019-032  
Attachment

6/7/19

6/7/19

Amendments								
PID	Project Description		Type of Work	Funding Data			AQ required?	
94371	GEA BUNDYSBURG RD		Bridge Replacement	CO	TDC	\$165,135	2021	exempt
	Location	Parkman Twp: Bundysburg Rd bridge over Swine Creek	0.06 mile	CE	TDC	\$11,565	2021	
	Termini/Description			CO	GEA CO	\$55,045	2021	
				CE	GEA CO	\$3,855	2021	
	Project Sponsor	Geauga County Engineer		CO	C/LBR	\$61,680	2021	
				CO	C/LBR	\$880,720	2021	
				\$1,178,000				
Comments								
109270	LAK US020-24.99		Major rehabilitation	CO	ODOT	\$800,000	2021	exempt
	Location	Madison Twp: Townline Rd to SR-528	3.02 miles	CO	S/STBG	\$3,200,000	2021	
	Termini/Description			CO	ODOT	\$2,400,000	2021	
				CO	S/STBG	\$9,600,000	2021	
	Project Sponsor	Ohio Department of Transportation		\$16,000,000				
	Comments							

PE=preliminary engineering, RW=right of way, C=construction, CE=construction engineering, CO=construction contract, PEDD=preliminary engineering detailed design, PEPD=preliminary engineering preliminary development, AR=archeological recovery





## **NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

### **MEMORANDUM**

**TO:** NOACA Board of Directors

**FROM:** Grace Gallucci, Executive Director

**DATE:** June 7, 2019

**RE:** **Resolution 2019-033 – Fiscal Year 2020 Annual Priority List**

#### **ACTION REQUESTED**

The Board of Directors is asked to approve the priority list of projects to be funded in State Fiscal Year (SFY) 2020 with NOACA administered funds.

The Transportation Subcommittee and Planning and Programming Committee recommend this action.

#### **BACKGROUND/JUSTIFICATION FOR CURRENT ACTION**

The SFY 2020 Annual Priority List (APL) (attached) contains projects to be funded in state fiscal year 2020 with NOACA administered Surface Transportation Block Grant (STBG), Congestion Mitigation and Air Quality (CMAQ) and Transportation Alternative Program (TAP) funds. The SFY 2020 APL reflects existing and recommended projects on the Plan and TIP. NOACA staff, ODOT Districts, and the project sponsors all concur that these projects are ready and able to use the identified funding amounts during the next fiscal year.

All of the projects in the SFY 2020 APL have been processed through NOACA's project planning review (PPR) and have been amended to NOACA's Long Range Transportation Plan and the Transportation Improvement Program (TIP).

The APL represents projects prioritized for funding in SFY 2020 of the current TIP. The list includes debt service payments for previously approved State Infrastructure Bank (SIB) loans.

#### **FINANCIAL IMPACT**

The total cost of the projects is approximately \$390 million with approximately \$50.5 million of NOACA funds committed. The projects are consistent with current financial forecasts, plans and budget constraints.

#### **CONCLUSION/NEXT STEPS**

Pending Board approval, NOACA will manage the SFY 2020 program to ensure the expenditure of all available funding during the fiscal year, including the advancement of additional projects as approved by the Board should funding become available.

GG/em/3070b

Attachments: SFY 2020 Annual Priority List





**RESOLUTION 2019-033  
(FY 2020 ANNUAL PRIORITY LIST)**

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE  
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

**WHEREAS**, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the Metropolitan Planning Organization (MPO) for the counties of Cuyahoga, Geauga, Lake, Lorain, and Medina, and the City of Cleveland; and the areawide water quality management agency for the same region; and

**WHEREAS**, the Congress of the United States, through law, and the U.S. Department of Transportation, through regulation, have determined that a long-range twenty-year transportation plan and a four-year Transportation Improvement Program (TIP) shall be prepared, which includes federal-aid transportation projects expected to be implemented in each of the program years; and

**WHEREAS**, the NOACA State Fiscal Year (SFY) 2018-2021 TIP was prepared in conformance with the NOACA Board of Directors' Regional Transportation Investment Policy and, as such, is consistent with the above guidance and regulation; and

**WHEREAS**, the NOACA Regional Transportation Investment Policy requires that all proposed federal-aid transportation projects be processed through project planning review in order to meet Transportation Plan goals and federal requirements; and

**WHEREAS**, the list of priority projects for SFY 2020 (Attachment) using NOACA attributable funds was developed in conformance with the Regional Transportation Investment Policy; and

**WHEREAS**, the Transportation Subcommittee, Planning and Programming Committee and the Executive Committee have reviewed the SFY 2020 Annual Priority List and have recommended its approval.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Northeast Ohio Areawide Coordinating Agency, consisting of forty-five principal officials serving general purpose local governments throughout and within the counties of Cuyahoga, Geauga, Lake, Lorain, and Medina that:

**Section 1.** The NOACA SFY 2020 Annual Priority List (as listed in Attachment 1) is approved.

**Section 2.** The costs of the projects are the "not to be exceeded amounts" of NOACA attributable funds. If the project exceeds the amount listed at the time of filing the Plans, Specifications and Estimate (PS&E), the increase in cost will be borne by the project sponsor.

Certified to be a true copy of a Resolution of the Board of  
Directors of the Northeast Ohio Areawide Coordinating  
Agency adopted this 14th day of June 2019.

Secretary: \_\_\_\_\_

Date Signed: \_\_\_\_\_

**RESOLUTION 2019-033  
(FY 2020 ANNUAL PRIORITY LIST)**

# Resolution No. 2019-033 Attachment

## SFY 2020 NOACA ANNUAL PRIORITY LIST

ODOT PID	County	Sponsor	Project Name	Primary Work Category	Project Description	Length	NOACA \$
95557	Cuyahoga	Cleveland	TOWER CITY BRIDGES (SIB loan 2nd payment) Debt-Service	Bridge	Rehabilitate and replace Tower City Bridge Complex, consisting of the Huron Road bridge, Prospect Avenue bridge, West 6th Street bridge, West 3rd Street bridge and the West 2nd Street bridge, in Cleveland	NA	\$1,013,040
105029	Lake	Lake County Engineer	VROOMAN RD (SIB loan 3rd payment) Debt-Service	Bridge	Reconstruct and relocate Vrooman Road, from IR-90 to SR-84 (includes bridge over Grand River), in Leroy Township and Perry Township	1.48 miles	\$3,127,093
97828	Region	NOACA	NOACA SFY 2020 AIR QUALITY PROGRAM	Regional	Air quality program activities for Cuyahoga, Geauga, Lake, Lorain and Medina Counties	NA	\$562,500
97823	Region	NOACA	NOACA SFY 2020 RIDESHARE PROGRAM	Regional	Rideshare program activities for Cuyahoga, Geauga, Lake, Lorain and Medina Counties	NA	\$50,000
109653	Region	NOACA	NOACA SFY 2020 STOP PROGRAM	Regional	Signal Timing Optimization Program (STOP)	NA	\$550,000
TBD	Region	NOACA	NOACA SFY 2020 TLCI	Regional	TLCI provides assistance to communities and public agencies for integrated transportation and land use planning that strengthens community livability (SFY 2019 funding will finance NOACA SFY 2020 project selections)	NA	\$2,000,000

# Resolution No. 2019-033 Attachment

## SFY 2020 NOACA ANNUAL PRIORITY LIST

ODOT PID	County	Sponsor	Project Name	Primary Work Category	Project Description	Length	NOACA \$
10900	Cuyahoga	Cuyahoga County Dept. of Public Works	BAGLEY RD/PLEASANT VALLEY RD (SIB loan 5th payment) Debt-Service	Roadway	Widen, rehabilitate and add lane left turn lane along Bagley Road / Pleasant Valley Road, from Pearl Road to York Road, in Middleburg Heights and Parma	2 .40 miles	\$1,727,875
105715	Cuyahoga	Cuyahoga County Dept. of Public Works	BRAINARD RD	Roadway	Resurface Brainard Road, from Cedar Road to Wilson Mills Road, in Lyndhurst and Highland Heights	2.63 miles	\$2,884,000
105930	Cuyahoga	Cleveland	E 55TH ST	Roadway	Rehabilitate East 55th Street, from Harvard Avenue to Broadway Avenue, in Cleveland	1.31 miles	\$1,560,500
100157	Cuyahoga	Cleveland	HARVARD AVE (SIB loan 3rd payment) Debt-Service	Roadway	Repair and resurface Harvard Avenue, from East 116th Street to Lee Road, in Cleveland	2.01 miles	\$233,945
96833	Cuyahoga	ODOT 12	IR 490/SR 010-0209/1919 (OPPORTUNITY CORRIDOR - PHASE III) 4th year of 10 year commitment	Roadway	New construction on new alignment, from west of East 55th Street to Quebec Avenue, in Cleveland	1.70 miles	\$1,500,000
105717	Cuyahoga	Cuyahoga County Dept. of Public Works	RIDGE RD	Roadway	Resurface Ridge Road, from Memphis Avenue to Denison Avenue, in Brooklyn and Cleveland	1.57 miles	\$1,697,440

# Resolution No. 2019-033 Attachment

## SFY 2020 NOACA ANNUAL PRIORITY LIST

ODOT PID	County	Sponsor	Project Name	Primary Work Category	Project Description	Length	NOACA \$
80961	Cuyahoga	Cuyahoga County Dept. of Public Works	ROYALTON RD (SIB loan 1st payment) Debt-Service	Roadway	Reconstruct and widen Royalton Road (SR-82), from West 130th Street to York Road, in the City of North Royalton	1.70 miles	\$1,259,266
105726	Cuyahoga	Middleburg Heights	US-42 - 4.29	Roadway	Resurface US-42 (Pearl Road), from Valley Parkway to Snow Road, in Strongsville, Middleburg Heights, Parma Heights and Parma	6.44 miles	\$9,133,126
100160	Cuyahoga	Cleveland	W 150TH ST (SIB loan 3rd payment) Debt-Service	Roadway	Repair and resurface West 150th Street, from Industrial Parkway to Lorain Avenue, in Cleveland	1.90 miles	\$233,945
105936	Lake	Lake County Engineer	BENNETT RD	Roadway	Rehabilitate and widen Bennett Road, from US-20 (North Ridge Road) to Lake Road, in Madison Township	2.93 miles	\$2,000,000
105937	Lake	Eastlake	STEVENS BLVD	Roadway	Resurface Stevens Boulevard, from the Eastlake west corporate limit (WCL) to SR-91 (SOM Center Road), in Eastlake	1.18 miles	\$2,022,300
105938	Lake	Mentor	TYLER BLVD	Roadway	Resurface Tyler Boulevard, from SR-615 (Center Street) to Heisley Road, in Mentor	1.0 mile	\$780,000
16319	Lorain	North Ridgeville	LEAR NAGLE RD (SIB loan 3rd payment) Debt-Service	Roadway	Reconstruct and widen to three lanes along Lear Nagle Road, from Lorain Road to Center Ridge Road, in North Ridgeville	1.10 miles	\$652,705

# Resolution No. 2019-033 Attachment

## SFY 2020 NOACA ANNUAL PRIORITY LIST

ODOT PID	County	Sponsor	Project Name	Primary Work Category	Project Description	Length	NOACA \$
98306	Lorain	Lorain County Engineer	OBERLIN-ELYRIA RD	Roadway	Resurface Oberlin-Elyria Road, from SR-511 to Butternut Ridge Road, in Carlisle Township and New Russia Township	2.10 miles	\$1,021,025
105898	Medina	Medina County Engineer	MEDINA LINE RD (CR 2)	Roadway	Rehabilitate Medina Line Road, from Broad Street to Ridgewood Road, in Wadsworth Township and Sharon Township	6.36 miles	\$2,299,990
14821	Medina	Brunswick	NORTH CARPENTER RD (SIB loan 2nd payment) Debt-Service	Roadway	Reconstruct North Carpenter Road, from 0.60 mile north of Center Road to Boston Road, in Brunswick	2.12 miles	\$1,185,379
99753	Cuyahoga	Cuyahoga Heights	CUYAHOGA HEIGHTS MULTI-PURPOSE TRAIL (PH IIIA)	Shared use	Construct a shared use path, from Bacci Park to the Cuyahoga Heights Village Hall, in the Village of Cuyahoga Heights	0.20 mile	\$712,000
103163	Geauga	Chardon	MAPLE HIGHLANDS TRAIL (PHASE 2)	Shared use	Construct a shared use path, from Water Street (US-6) to SR-44 (South Street), in Chardon	0.86 mile	\$1,003,000
107562	Lorain	Lorain County Metropark District	BLACK RIVER BIKEWAY (PHASE 3C)	Shared use	Complete the Black River Trail extension along Colorado Avenue, Kansas Avenue, along abandoned railroad, through Longfellow Park to US-6) and connect from US-6 to Lake Erie (along Colorado Ave to Lakeside Landing), in Lorain	1.23 miles	\$1,048,000
107598	Lorain	Lorain County Metropark District	BLACK RIVER BIKEWAY (PHASE 4E)	Shared use	Construct multiuse bridge over the Black River in Cascade Park/Elywood Park, in Elyria	0.10 mile	\$1,020,500

# Resolution No. 2019-033 Attachment

## SFY 2020 NOACA ANNUAL PRIORITY LIST

ODOT PID	County	Sponsor	Project Name	Primary Work Category	Project Description	Length	NOACA \$
95109	Cuyahoga	North Olmsted	NORTH OLMSTED SIGNALS	Signals	Upgrade traffic signals at intersections along Butternut Ridge Road, Country Club Boulevard, Great Northern Boulevard, Columbia Road, Cedar Point Road, Brookpark Road and Clague Road, in North Olmsted	NA	\$3,204,800
108258	Cuyahoga	Rocky River	ROCKY RIVER SIGNALS	Signals	Upgrade traffic signals at 13 intersections and pavement markings along Center Ridge Road, from Hunter's Point to Wooster Road, in Rocky River	NA	\$298,000
108245	Cuyahoga	Cleveland	CLE E 93RD ST AND E 105TH ST CORRIDOR MODAL (PEDD)	Streetscape Improvements	Improvements along East 105th Street – East 93rd Street Transportation Corridor Complete Street: Includes roadway, bicycle, pedestrian and transit enhancements	8.0 miles	\$890,750
94963	Cuyahoga	GCRTA	GCRTA 2020 VEHICLE REPLACEMENT PROGRAM	Transit	Replace 11 buses with lower emission buses	NA	\$4,462,500
99114	Lake	LAKETRAN	LAKETRAN 2020 LIGHT TRANSIT VEHICLES	Transit	Replace 12 light transit vehicles (LTVs) for Laketrans's dial-a-ride service	NA	\$333,915

**TOTAL 2020 PROJECTS**

**\$50,467,594**

**TOTAL BUDGET**

**\$52,117,478**

**TOTAL COMMITMENTS \***

**\$50,467,594**

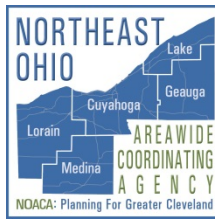
**\$1,649,884 \*\***

\* Includes repayments for previous SFY issued SIB loans.

\*\* Balance will be committed to new projects approved by the NOACA Board of Directors.







## **NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

### **MEMORANDUM**

**TO:** NOACA Board of Directors

**FROM:** Grace Gallucci, Executive Director

**DATE:** June 7, 2019

**RE:** **Resolution No. 2019-034: Functional Classification Amendment Recommendations**

#### **ACTION REQUESTED**

The Board of Directors is asked to approve Resolution 2019-034, which approves the functional classification amendment recommendations.

- State Route 94, in Cuyahoga County, from Minor Arterial to Collector
- County Route 4, in Geauga County, from Collector to Local

The Planning and Programming Committee and Transportation Subcommittee support this action.

#### **BACKGROUND/JUSTIFICATION FOR CURRENT ACTION**

The Ohio Department of Transportation has requested the following functional classification amendments:

- Downgrade the short segment of SR 94 between the Medina County Line (log.0.00) and CR 63 - Edgerton Rd (log 1.46) from Minor Arterial (FC 04) to a Collector (FC 05) to match the classification in Medina County.
- Downgrade CR 4 in Geauga County from a Collector (FC 05) to Local (FC 07) between the Portage County Line and CR 606.

Functional classification is the grouping of roads, streets, and highways in a hierarchy based on the type of highway service they provide. Streets and highways are part of an interconnected network, and each one plays a role in moving traffic throughout the system. Generally, streets and highways provide either traffic mobility or land access and can be ranked in terms of the proportion of service they perform.

In June 2014 the NOACA Board of Directors approved Resolution Number 2014-025, which created a NOACA functional classification policy for the review of proposed functional

classification revisions. The policy requires all proposed functional classification revisions to be evaluated thoroughly prior to making a recommendation to the Ohio Department of Transportation. Evaluation is based on guidelines suggested by the Federal Highway Administration (FHWA) and the Ohio Department of Transportation (ODOT) with some criteria refined to reflect local conditions. Criteria evaluated include:

- Lane widths
- Shoulder widths
- Average Annual Daily Traffic (AADT)
- Access
- Speed limit
- Parallel spacing of routes
- Area type
- Percentage of mileage by functional classification (by region, by county)
- Functional classification density analysis

Based on the NOACA Functional Classification Amendment Policy, staff recommends downgrading CR 4 in Geauga County from a Collector (FC 05) to Local (FC 07) between the Portage County Line and CR 606, and recommends the downgrade of SR 94 between the Medina County Line (log.0.00) and CR 63 - Edgerton Rd (log 1.46) from Minor Arterial (FC 04) to a Collector (FC 05).

#### **FINANCIAL IMPACT**

No financial impact, but approval of the functional classification recommendations could add additional mileage to the federal-aid network.

#### **CONCLUSION/NEXT STEPS**

Pending Board approval, these recommendations will be forwarded to ODOT and FHWA for further review and implementation.

GG/ks/3071b

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE  
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

**WHEREAS**, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the Metropolitan Planning Organization (MPO) for the counties of Cuyahoga, Geauga, Lake, Lorain, and Medina, and the areawide water quality management agency for the same region; and

**WHEREAS**, functional Classification is the grouping of roads, streets, and highways in a hierarchy based on the type of highway service they provide; and

**WHEREAS**, in June 2014 the NOACA Board of Directors approved Resolution Number 2014-025, which created a NOACA functional classification policy for the review of proposed functional classification revisions; and

**WHEREAS**, the policy requires all proposed functional classification revisions to be evaluated thoroughly prior to making a recommendation to the Ohio Department of Transportation; and

**WHEREAS**, after applying the evaluation criteria of lane widths, shoulder widths, average annual daily traffic (AADT), access, speed limit, parallel spacing of routes, area type, percentage of mileage by functional classification (by region, by county) and functional classification density analysis to the two proposed amendments, SR 94 between the Medina County Line and CR 63 - Edgerton Rd., and CR 4 between the Portage County Line and CR 606, both roadway segments are recommended for functional classification revision, which will result in a decrease of 2.77 miles to the federal-aid system.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Northeast Ohio Areawide Coordinating Agency, consisting of 45 principal officials serving general purpose local governments throughout and within the counties of Cuyahoga, Geauga, Lake, Lorain, and Medina that:

**Section 1:** Functional classification recommendations as outlined above are approved.

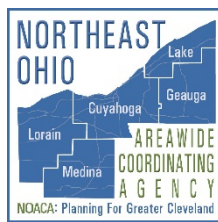
**Section 2:** The Executive Director is authorized to submit the functional classification recommendations to the Ohio Department of Transportation.

**Section 3:** The Executive Director is authorized to transmit a certified copy of this resolution to appropriate Federal, State, and local agencies.

Certified to be a true copy of a Resolution of  
the Board of Directors of the Northeast Ohio  
Areawide Coordinating Agency adopted this  
14th day of June 2019.

Secretary: \_\_\_\_\_  
Date Signed: \_\_\_\_\_

**RESOLUTION NO. 2019-034**  
**(Functional Classification Amendment)**



## **NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

### **MEMORANDUM**

**TO:** NOACA Board of Directors

**FROM:** Grace Gallucci, Executive Director

**DATE:** June 7, 2019

**RE:** **Resolution 2019-035: Geauga County Facility Planning Area (FPA) Prescription Modification Request in Chardon Township**

#### **ACTION REQUESTED**

The Board of Directors is asked to approve the facility planning area (FPA) modification request by Geauga County. Specifically, the item will change the Prescriptions for Wastewater Treatment (Prescriptions) of 124 Chardon Township parcels covering 141 acres in the Geauga County FPA to allow for sanitary sewer service.

The Planning and Programming Committee and Water Quality Subcommittee recommend this action.

#### **BACKGROUND/JUSTIFICATION FOR CURRENT ACTION**

The Berkshire Heights Estates Subdivision in south Chardon Township was developed in the 1950s and 1960s and has a significant number of failing on-site home sewage treatment systems (HSTSs). In 2013, the Chardon Township Trustees submitted a public health nuisance complaint for the subdivision to Ohio Environmental Protection Agency (Ohio EPA) after trustees found a drainage line near the subdivision that appeared to convey untreated sewage. Ohio EPA found the numerous failing HSTSs resulted in unsanitary conditions and a public health nuisance. In 2015, the Ohio EPA issued a Director's Final Findings and Orders (DFFO) to the Geauga County Board of Commissioners. The DFFO required the County to produce a sewage plan for the subdivision and install a sanitary sewage system within five (5) years. Geauga County plans to start construction of sanitary sewer lines and wastewater treatment plant (WWTP) in 2019.

The subdivision's current Prescription in NOACA's Clean Water 2000 Plan (208 Plan) is "no sewer service" (Attachment A). This Prescription does not allow for sanitary sewer extensions or connections. Ohio EPA cannot issue any permits that conflict with NOACA's 208 Plan. Therefore, Geauga County requests the Prescriptions be changed to "may be sewered" for the parcels that that will be connected to sanitary sewers and the parcels where the WWTP will be constructed (Attachment B). The change will allow Ohio EPA to issue the needed permits to Geauga County to proceed with the Ohio EPA required sanitary sewer project.

Chardon Township and Geauga County are the only affected jurisdictions. Both the Chardon Township Board of Trustees and Geauga County Board of Commissioners support the proposed Prescriptions changes (attached) which fulfills the notification requirements in Policy 4-6 of the 208 Plan.

**FINANCIAL IMPACT**

NOACA's approval of the Prescription modification will not result in any financial impact to NOACA.

**CONCLUSION/NEXT STEPS**

Pending Board approval, NOACA staff will submit the Prescription modification to Ohio EPA.

GG/ea/3072b

**RESOLUTION 2019-035  
(GEAUGA COUNTY FPA  
PRESCRIPTION MODIFICATION  
REQUEST IN CHARDON TOWNSHIP)**

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE  
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

**WHEREAS**, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the Metropolitan Planning Organization (MPO) for the counties of Cuyahoga, Geauga, Lake, Lorain, Medina, the City of Cleveland and the areawide water quality management agency for the same region; and

**WHEREAS**, *Clean Water 2000*, the current update to the NOACA Section 208 Water Quality Management Plan, was adopted by the NOACA Board of Directors, certified by the Governor of Ohio, and approved by the United States Environmental Protection Agency; and

**WHEREAS**, *Clean Water 2000* provides for modifications to wastewater treatment facility planning area (FPA) boundaries, subject to review by the NOACA staff, the NOACA Water Quality Subcommittee, and the NOACA Planning and Programming Committee; and

**WHEREAS**, Ohio EPA issued a Director's Final Findings and Orders (DFFO) to the Geauga County Board of Commissioners to construct a sanitary sewer system for Berkshire Heights Estates Subdivision in south Chardon Township due to numerous failing home sewage treatment systems (HSTSS) resulting in unsanitary conditions and a public health nuisance; and

**WHEREAS**, Geauga County Department of Water Resources (GCDWR) has produced sanitary sewer system plans to service the Berkshire Heights Estates Subdivision; and

**WHEREAS**, GCDWR; with the support of the Geauga County Board of Commissioners and Chardon Township; proposes a change to the FPA prescription for wastewater treatment for Berkshire Heights Estates Subdivision to allow for the connection of homes to sanitary sewers for the benefit of regional water quality and economic development; and

**WHEREAS**, the NOACA Water Quality Subcommittee and the Planning and Programming Committee reviewed the request and recommended that the Board of Directors approve the modification request.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Northeast Ohio Areawide Coordinating Agency, consisting of forty-five principal officials serving general purpose local governments throughout and within the counties of Cuyahoga, Geauga, Lake, Lorain, Medina, and the City of Cleveland that:

**Section 1.** The *Clean Water 2000* Plan's FPA prescription map is amended to reflect the change to Berkshire Heights Estates Subdivision in Chardon Township (attachment B) to allow the properties to connect to sanitary sewers.

**Section 2.** The Executive Director is authorized to submit the new prescriptions to Ohio EPA for certification by the Governor.

**Section 3.** The Executive Director is authorized to transmit certified copies of this resolution to appropriate federal, state, and local agencies.

Certified to be a true copy of a Resolution of the Board of Directors of the Northeast Ohio Areawide Coordinating Agency adopted this 14th day of June 2019.

Secretary: \_\_\_\_\_

Date Signed: \_\_\_\_\_

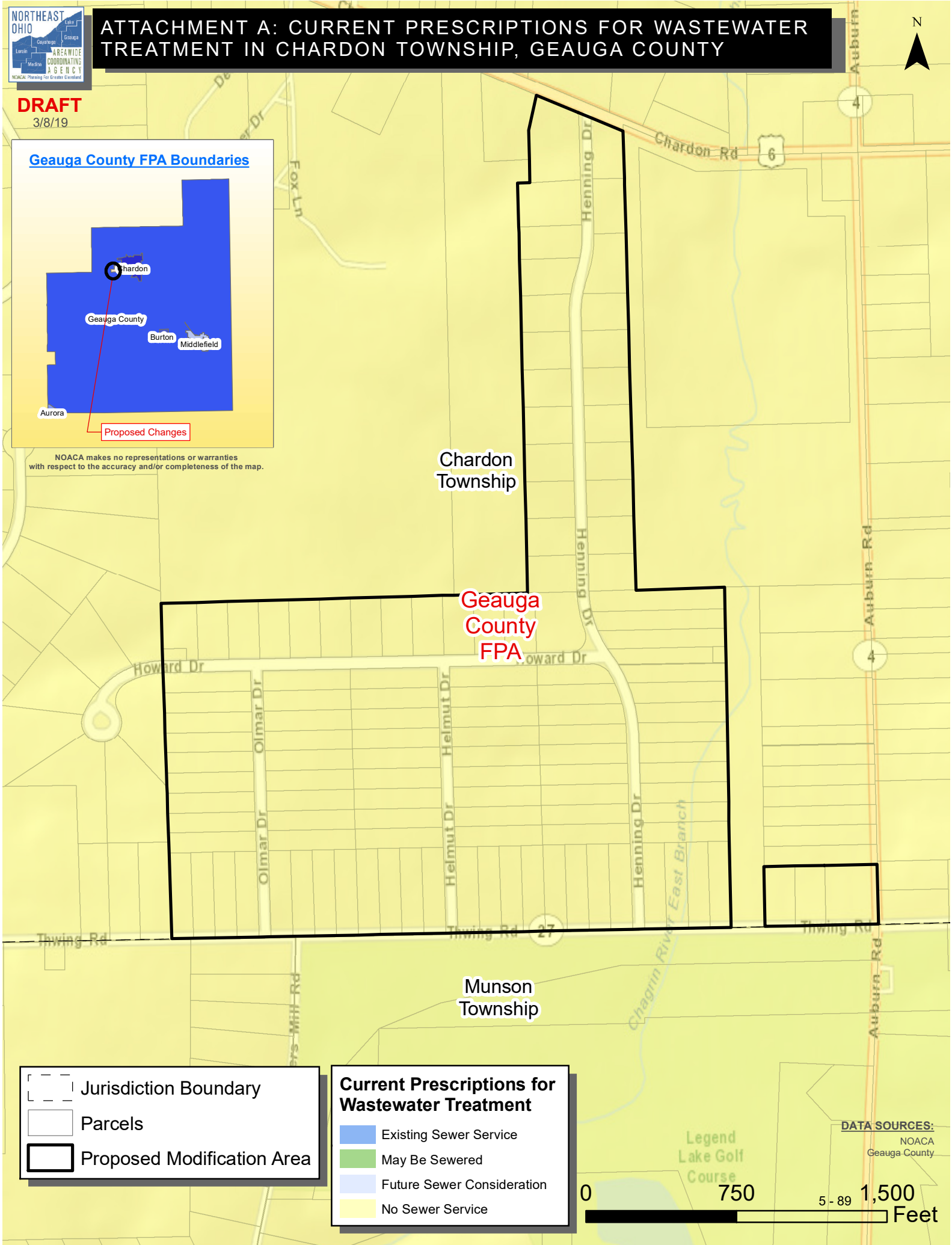
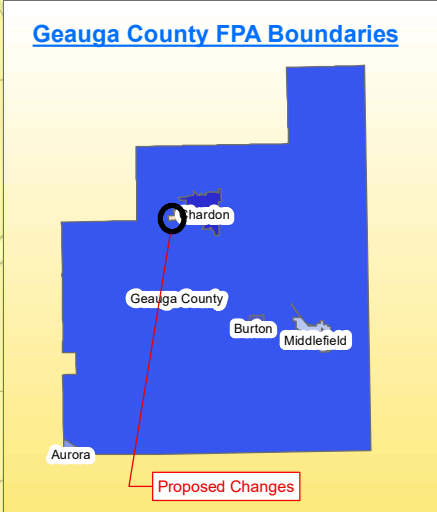




# ATTACHMENT A: CURRENT PRESCRIPTIONS FOR WASTEWATER TREATMENT IN CHARDON TOWNSHIP, GEauga COUNTY



**DRAFT**  
 3/8/19



- Jurisdiction Boundary
- Parcels
- Proposed Modification Area

**Current Prescriptions for Wastewater Treatment**

- Existing Sewer Service
- May Be Sewered
- Future Sewer Consideration
- No Sewer Service

**Legend Lake Golf Course**

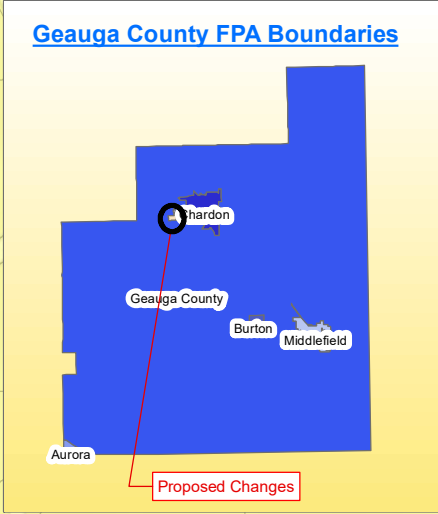
**DATA SOURCES:**  
 NOACA  
 Geauga County

0 750 1,500 Feet

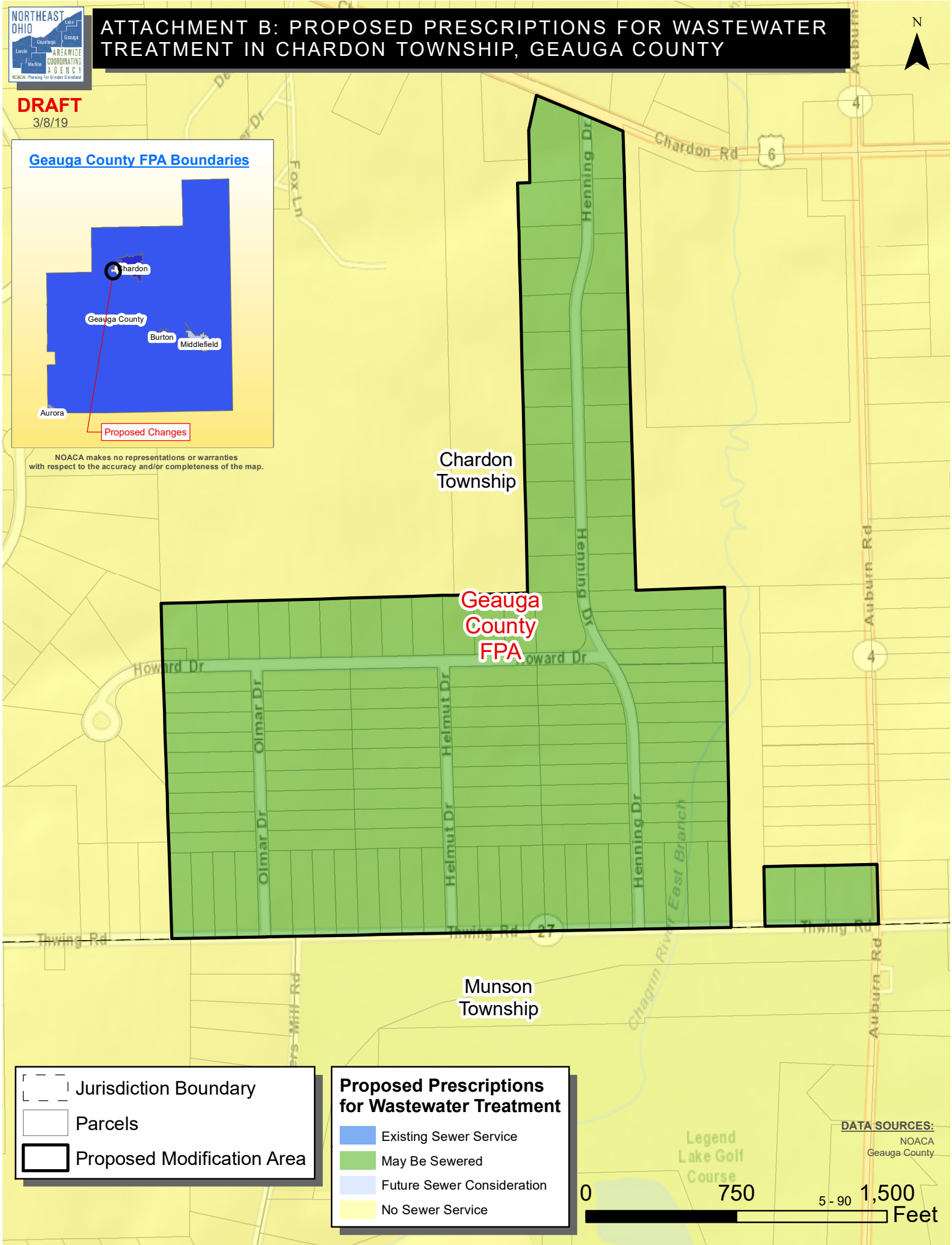
# ATTACHMENT B: PROPOSED PRESCRIPTIONS FOR WASTEWATER TREATMENT IN CHARDON TOWNSHIP, GEauga COUNTY



**DRAFT**  
 3/8/19



NOACA makes no representations or warranties with respect to the accuracy and/or completeness of the map.



Jurisdiction Boundary

Parcels

Proposed Modification Area

**Proposed Prescriptions for Wastewater Treatment**

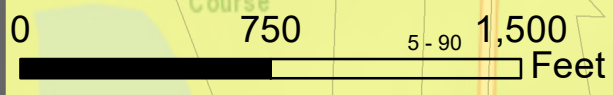
Existing Sewer Service

May Be Sewered

Future Sewer Consideration

No Sewer Service

**DATA SOURCES:**  
 NOACA  
 Geauga County





## Facility Planning Area (FPA) Amendment Request Form

### **Applicant:**

Geauga County Department of Water Resources (GCDWR)

### **FPA Amendment Type:**

The applicant requests a change in the Prescriptions for Wastewater Treatment (Prescriptions) within the Geauga County FPA.

### **Location:**

The Prescriptions modification area includes 124 parcels (141 acres) in the Berkshire Heights Estates Subdivision in Chardon Township (Attachment A). The FPA modification includes all parcels along Henning Drive, Helmet Drive, Olmar Drive, Howard Drive (between house numbers 10776 and 10954) and Thwing Road (between house numbers 10774 and 11032).

### **Current Prescription:**

No Sewer Service

### **Proposed Prescription:**

May Be Sewered

### **Total Acres:**

141 acres

### **Total Parcels:**

124 parcels

### **List of Affected Parties:**

Designated Management Agency (DMA) – Geauga County

Local Jurisdiction – Chardon Township

## **208 Plan Consistency Review**

### **Facility Planning Area Review - Applicant Needs to Solicit Support from Affected Parties**

- ✓ Applicant is the Designated Management Agency for all of the affected area.
- Applicant is not the Designated Management Agency for all or part of the affected area
  - Applicant **has** secured the approval of the entity or entities that are.
  - Applicant **has not** secured the approval of the entity or entities that are.

### **Service Extension/Community Plan Review – Amendment should be Consistent with the Prescriptions for Wastewater Treatment<sup>1</sup>**

- Applicant **does not** propose the extension of any sewer service.
  - The proposed project is limited to sewer system rehabilitation work.
  - The proposed project is limited to a plant expansion or modification to better handle wet weather flow volumes
- ✓ Applicant **does** propose the extension of sewer service to an area lying entirely within the established facility planning area of the project sponsor.
  - The proposed extension **is** consistent with the current Prescriptions for Wastewater Treatment for the affected area.
  - The proposed extension **is not** consistent with the current Prescriptions for Wastewater Treatment for the affected area.
  - ✓ The applicant proposes **new** Prescriptions for Wastewater Treatment for the affected area.
- Another entity proposes the extension of sewer service to an area lying entirely within the established facility planning area(s).
  - The proposed extension is consistent with the current Prescriptions for Wastewater Treatment for the affected area.
  - The proposed extension is not consistent with the current Prescriptions for Wastewater Treatment for the affected area.
  - The applicant proposes new Prescriptions for Wastewater Treatment for the affected area.

### **Plant Expansion Review (if applicable)**

- The application involves a plant capacity expansion that **is** consistent with extant population projections included in the Clean Water 2000 Plan as most recently updated.
- The application involves a plant capacity expansion that **is not** consistent with extant population projections included in the Clean Water 2000 Plan as most recently updated.
  - The applicant **has** provided information that **has** sufficiently resolved any population project discrepancy.
  - The applicant **has not** provided information that sufficiently resolved the population projection discrepancy.

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<sup>1</sup> Prescriptions for Wastewater Treatment are referred to as Community Plans for Wastewater Treatment in the *Clean Water 2000* plan.

**Staff Comments:**

In 2015, the Geauga County Board of Commissioners were issued Ohio EPA Director's Final Finding and Orders (DFFOs) to construct a sanitary sewer system within five (5) years for the Berkshire Heights Estates Subdivision in Chardon Township. The subdivision was found to be a public health nuisance from numerous failing home sewage treatment systems (HSTSSs). Geauga County plans to start construction of the sanitary sewers and wastewater treatment plant (WWTP) in 2019.

The current Geauga County Prescription for the entire subdivision is "no sewer service," which does not allow for sanitary sewer extensions or connections (Attachment A). The Prescription for the subdivision and wastewater treatment plant (WWTP) site needs to be changed to "may be sewer" in order for Ohio EPA to issue to Geauga County the needed Permit-to-Install (PTI) and National Pollutant Discharge Elimination System (NPDES) permit for the sewerage system (Attachment B).

The requested prescription modification is supported by both affected jurisdictions: the Chardon Township Board of Trustees and Geauga County Board of Commissioners.

**Staff Disposition:**

The staff recommends approval of the modification to Geauga County's Prescriptions in Chardon Township. Sanitary sewers are required under the Ohio EPA's 2015 DFFOs. The request is supported by both Chardon Township and Geauga County.

**Water Quality Subcommittee Disposition:**

On the March 8, 2019, agenda as an action item.

**Planning and Programming Committee Disposition:**

**Executive Committee Disposition:**

**Board of Directors Disposition:**



# GEAUGA COUNTY BOARD OF COMMISSIONERS

James W. Dvorak Timothy C. Lennon Ralph Spidalieri

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470 Center Street • Building 4 • Chardon, Ohio 44024-1071

February 21, 2019

Steven Oluic, Director  
Department of Water Resources  
470 Center Street, Building #3  
Chardon, OH 44024

Dear Mr. Oluic:

Please be advised that during session on February 21, 2019, the Board of County Commissioners took the following action:

Motion: by Commissioner Dvorak, seconded by Commissioner Lennon to approve and execute the revision to the Water Quality Management Plan (208) for Chardon Township regarding the designation of 117 un-sewered properties within the Berkshire Heights Subdivision to "may be sewered".

Roll Call Vote:	Commissioner Dvorak	Aye
	Commissioner Spidalieri	Absent
	Commissioner Lennon	Aye

Very truly yours,

Christine Blair  
Commissioners' Clerk






## Water Quality Management (208) Plan Chardon Township

	Existing Sewers: 39.21 (0.27%)
	May Be Sewered: 123.15 (0.84%)
	No sewer service: 14,453.42 (98.89%)

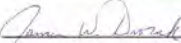
Approved by the Chardon Township  
Board of Trustees  
This 6<sup>TH</sup> Day of February, 2019.

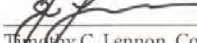
  
Michael Brown, Trustee


  
Timothy M. McKenna, Trustee

  
Charles Strazinsky, Trustee

Approved by the Geauga County  
Board of County Commissioners  
This 21 Day of February, 2019.

  
James W. Dyorak, Commissioner

  
Timothy C. Lennon, Commissioner

  
Ralph Spidalieri, Commissioner







## NORTHEAST OHIO AREAWIDE COORDINATING AGENCY

### MEMORANDUM

**TO:** NOACA Board of Directors

**FROM:** Grace Gallucci, Executive Director

**DATE:** June 7, 2019

**RE:** **Resolution No. 2019-036: Coordinated Public Transit-Human Services Transportation Plan for Northeast Ohio**

#### **ACTION REQUESTED**

The Board of Directors is asked to adopt *Mobilize: Accessibility for Independence*, NOACA's Coordinated Public Transit-Human Services Transportation Plan for Northeast Ohio.

The Planning and Programming Committee supports this recommendation.

#### **BACKGROUND/JUSTIFICATION FOR CURRENT ACTION**

The current Coordinated Public Transit-Human Services Transportation Plan for Northeast Ohio ("Coordinated Plan") was adopted by the NOACA Board of Directors in January 2015 and extended through December 2018. The Coordinated Plan covers Cuyahoga, Geauga, Lake, Lorain and Medina Counties, and will be updated for the years 2019-2022.

The federal circular for the Enhanced Mobility of Seniors and Individuals with Disabilities (Section 5310) funding program requires that all projects funded must be "included in a locally developed, coordinated public transit-human services transportation plan," and "developed and approved through a process that included participation by seniors, individuals with disabilities, representatives of public, private, and nonprofit transportation and human services providers and other members of the public."

NOACA began the plan update with outreach activities that included public meetings, a client/rider survey, and a provider/stakeholder survey. Using this feedback, and input from NOACA Transit, Community Advisory, Rural Advisory, and Bike and Pedestrian Councils, goals and strategies were developed for the Coordinated Plan.

The Coordinated Plan acts as an evaluation tool to prioritize project funding for the Section 5310 program. Section 5310 scoring criteria and prioritization for funding is guided by current and future regional needs identified in the coordinated planning process. NOACA will also utilize *Mobilize: Accessibility for Independence* as an action plan and will integrate adopted goals and strategies into the organization's work plan.

### **FINANCIAL IMPACT**

As the designated recipient, NOACA is eligible to access federal 5310 program funds apportioned to the Cleveland UZA and distribute them according to the federal guidelines. Up to 10% of these program funds can be used by NOACA to cover its administrative costs for the development of plans by staff.

### **CONCLUSION/NEXT STEPS**

With Board approval, *Mobilize: Accessibility for Independence* will be adopted as the Coordinated Public Transit-Human Services Transportation Plan for Northeast Ohio for the years 2019-2022.

GG/ks/3073b

**Attachment 1 – <https://www.noaca.org/Home/ShowDocument?id=23791>**

**RESOLUTION NO. 2019-036**  
**(COORDINATED PUBLIC TRANSIT-HUMAN**  
**SERVICES TRANSPORTATION PLAN FOR NORTHEAST OHIO)**

**RESOLUTION OF THE BOARD OF DIRECTORS**  
**OF THE**  
**NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

**WHEREAS**, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the Metropolitan Planning Organization (MPO) for the counties of Cuyahoga, Geauga, Lake, Lorain and Medina, and the City of Cleveland; and the areawide water quality management agency for the same region; and

**WHEREAS**, Metropolitan Planning Organizations are mandated by the federal government to update the Coordinated Public Transit-Human Services Transportation Plan;

**WHEREAS**, the Title 49 U.S.C. 5310 authorizes the formula assistance program for the Enhanced Mobility of Seniors and Individuals with Disabilities (Section 5310) Program to improve mobility for seniors and individuals with disabilities;

**WHEREAS**, the Section 5310 program is administered by the Federal Transit Administration (FTA) with funds being allocated to designated recipients of urbanized areas. As a result, the Cleveland UZA is required to identify a designated recipient to receive FTA Section 5310 funding; and

**WHEREAS**, NOACA was officially designated by Governor Kasich on October 9, 2014;

**WHEREAS**, as the designated recipient, NOACA assumes program administration responsibilities on behalf of FTA. These responsibilities include notifying agencies of available funding, developing project selection process, determining project eligibility, developing and updating a program management plan and program of projects, maintaining control over procured assets, and ensuring that all sub-recipients comply with federal requirements;

**WHEREAS**, the federal program circular for FTA Section 5310 states that all projects funded by Section 5310 dollars must be "included in a locally-developed, coordinated public transit-human services transportation plan developed and approved through a process that included participation by seniors, individuals with disabilities, representatives of public, private, and nonprofit transportation and human services providers and other members of the public,"

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Northeast Ohio Areawide Coordinating Agency, consisting of 45 principal officials serving general purpose local governments throughout and within the counties of Cuyahoga, Geauga, Lake, Lorain, Medina and City of Cleveland that:

**Section 1:** The Executive Director is authorized to make the updated Coordinated Public Transit-Human Services Transportation Plan available to the public.

**Section 2:** The Executive Director is authorized to initiate the competitive selection process for Enhanced Mobility for Seniors and Individuals with Disabilities (Section 5310) Program and may prioritize project funding based on identified needs in this plan.

**Section 3:** The Executive Director is authorized to transmit a certified copy of this resolution to appropriate Federal, State, and local agencies.

**RESOLUTION NO. 2019-036**  
**(COORDINATED PUBLIC TRANSIT-HUMAN**  
**SERVICES TRANSPORTATION PLAN FOR NORTHEAST OHIO)**

Certified to be a true copy of a Resolution of the  
Governing Board of the Northeast Ohio Areawide  
Coordinating Agency adopted this 14<sup>th</sup> day of June,  
2019.

Secretary: \_\_\_\_\_

Date Signed: \_\_\_\_\_



## **NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

### **MEMORANDUM**

**TO:** NOACA Board of Directors

**FROM:** Grace Gallucci, Executive Director

**DATE:** June 7, 2019

**RE:** **Resolution No. 2019-037:Transportation Conformity Analysis for 2015 Ozone National Ambient Air Quality Standard (NAAQS) Nonattainment Designation**

#### **ACTION REQUESTED**

The Board of Directors is asked to approve the regional air quality determination. Specifically this item will approve the regional air quality conformity determination for the Cleveland-Akron air quality nonattainment area for the 2015 ozone NAAQS.

The Air Quality Subcommittee and Planning and Programming Committee have recommended this action.

#### **BACKGROUND/JUSTIFICATION FOR CURRENT ACTION**

The Clean Air Act (CAA) requires that Metropolitan Planning Organizations (MPOs) complete a transportation conformity analysis to demonstrate that its transportation plans, programs, and significant projects will not interfere with an area's ability to come into or maintain its attainment of the National Ambient Air Quality Standards (NAAQS). As part of this process, NOACA must demonstrate that emissions associated with its TIP and LRTP fall within the motor vehicle emissions budgets (MVEBs) outlined in all relevant State Implementation Plans (SIPs), which the Ohio Environmental Protection Agency (Ohio EPA) develops and submits to the U.S. EPA.

The United States Environmental Protection Agency (U.S. EPA) designated Northeast Ohio (Cuyahoga, Geauga, Lake, Lorain, Medina, Portage, and Summit Counties) as a nonattainment area for the ozone NAAQS effective August 3, 2018. Under the CAA, NOACA must complete a transportation conformity determination within 12 months of this designation. Accordingly, NOACA initiated an interagency consultation process to complete this analysis in February 2019. Because portions or the entirety of the NOACA region are in maintenance or nonattainment for the 2008 ozone NAAQS, the 2006 fine particulate matter (PM<sub>2.5</sub>) NAAQS, and the 2012 PM<sub>2.5</sub> NAAQS, NOACA must show that the emissions from its TIP and LRTP will remain within the MVEBs outlined in these SIPs.

Additionally, under federal regulations, NOACA must coordinate its conformity determination with all MPOs that fall within its metropolitan area. Accordingly, NOACA staff have worked closely with the Akron Metropolitan Area Transportation Study (AMATS) and the Erie Regional Planning Commission (ERPC), along with other relevant agencies. Both AMATS and ERPC have approved concurring resolutions adopting the results of the conformity determination.

Results of the conformity analysis are shown below, which identifies both the established budget, as well as the projected emission amounts. To "pass" conformity analysis, the projected amounts must be lower than

the budgeted amounts. Because only Cuyahoga and Lorain Counties are included in the nonattainment area for the 2012 PM<sub>2.5</sub> NAAQS, they are the only counties that must demonstrate conformity with the MVEB for that standard.

GG/ks/3074b

### Results of Conformity Analyses for the 2015 8-Hour Ozone Standard\*

8-Hour Ozone Test	2020 8-Hour Budget	2020 Emissions	2030 8-Hour Budget	2030 Emissions	2040 Emissions
<b>AMATS</b>	tons / year				
VOC		6.22		4.20	3.74
NOx		9.37		5.24	4.17
<b>NOACA</b>	tons / year				
VOC		18.35		10.65	7.45
NOx		25.51		11.70	8.14
<b>Totals</b>	tons / year				
VOC	38.85	24.57	30.80	14.85	11.19
NOx	61.56	34.88	43.82	16.97	12.31

### Results of Conformity Analyses for the 2008 8-Hour Ozone Standard\*

8-Hour Ozone Test	2020 8-Hour Budget	2020 Emissions	2030 8-Hour Budget	2030 Emissions	2040 Emissions
<b>AMATS</b>	tons / year				
VOC		6.22		4.20	3.74
NOx		9.37		5.24	4.17
<b>NOACA</b>	tons / year				
VOC		18.35		10.65	7.45
NOx		25.51		11.70	8.14
<b>Ashtabula Co.</b>	tons / year				
VOC		0.93		0.58	0.54
NOx		1.56		0.84	0.72
<b>Totals</b>	tons / year				
VOC	38.85	25.50	30.80	15.43	11.74
NOx	61.56	36.44	43.82	17.79	13.03

### Results of Conformity Analyses for the 2006 Fine Particulate Matter Standard\*

<b>PM<sub>2.5</sub> Test</b>	2020 Emissions	2022 Budget	2022 Emissions	2030 Emissions	2040 Emission
<b>AMATS</b>	tons / year				
Direct PM <sub>2.5</sub>	155.61		133.40	106.37	107.20
NOx	3,189.25		2,730.52	1,864.41	1,657.69
<b>NOACA</b>	tons / year				
Direct PM <sub>2.5</sub>	565.09		487.28	376.06	333.57
NOx	12,557.57		10,361.26	6,406.52	4,115.89
<b>Ashtabula Twp.</b>	tons / year				
Direct PM <sub>2.5</sub>	2.59		2.19	1.68	1.68
NOx	60.48		50.33	35.26	32.81
<b>Area Totals</b>	tons / year				
Direct PM <sub>2.5</sub>	723.29	880.89	622.86	484.11	442.46
NOx	15,807.30	17,263.65	13,142.10	7,946.19	5,806.39

### Results of Conformity Analyses for the 2012 Fine Particulate Matter Standard\*

<b>PM<sub>2.5</sub> Test</b>	2020 Emissions	2022 Budget	2022 Emissions	2030 Budget	2030 Emissions	2040 Emissions
	tons / year					
Direct PM <sub>2.5</sub>	407.67	406.79	351.75	270.57	235.28	242.32
NOx	8,897.42	9,432.04	7,304.60	4,907.54	4,267.43	2,914.42

\* Emissions must be less than the established budgets in order to pass the conformity test.

#### **FINANCIAL IMPACT**

There is no financial impact to NOACA from this action.

#### **CONCLUSION/NEXT STEPS**

Pending Board approval, the analysis will be forwarded to the Ohio Department of Transportation (ODOT), Federal Highway Administration (FHWA), and U.S. Environmental Protection Agency (USEPA) for final approval.

GG/tk



**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE  
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

**WHEREAS**, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the Metropolitan Planning Organization (MPO) for the counties of Cuyahoga, Geauga, Lake, Lorain, and Medina; and

**WHEREAS**, the United States Environmental Protection Agency (U.S. EPA) establishes air pollutant standards pursuant to the Clean Air Act for the preservation of public health and the environment; and

**WHEREAS**, the USEPA established designations under the new 2015 Ozone National Ambient Air Quality Standard (NAAQS) effective August 3, 2018; and

**WHEREAS**, transportation conformity must be re-established within one year of the designation of a new standard; and

**WHEREAS**, this conformity determination is a pre-requisite for continued access to federal funds for the construction of transportation projects in our area; and

**WHEREAS**, NOACA has conducted the necessary analyses (results attached) in coordination with its other nonattainment area partners (AMATS for the Akron area, ODOT for Ashtabula County) to establish conformity.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Northeast Ohio Areawide Coordinating Agency, consisting of 45 principal officials serving general purpose local governments throughout and within the counties of Cuyahoga, Geauga, Lake, Lorain, and Medina that:

**Section 1:** The conformity analyses for establishing transportation conformity for the 2015 Ozone standard are approved for submittal.

**Section 2:** The Executive Director is hereby authorized to transmit a certified copy of this resolution and the analyses to appropriate federal, state, and local agencies.

Certified to be a true copy of a Resolution of the Board of  
Directors of the Northeast Ohio Areawide Coordinating  
Agency adopted this 14<sup>th</sup> day of June 2019.

Secretary: \_\_\_\_\_

Date Signed: \_\_\_\_\_



**Agenda Item  
No. 6**

**PRESENTATIONS/DISCUSSION ITEMS**



**Agenda Item  
No. 7**

**REPORTS/UPDATES**



**Agenda Item**  
**No. 8**

**OLD BUSINESS**





**Agenda Item**  
**No. 9**

**NEW BUSINESS**



**Agenda Item  
No. 10**

**ADJOURN**

